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HEROES AND MARTYRS.

EDITED, WITH AN HISTORICAL INTRODUCTION ON
"THE STRUGGLE FOR IRISH NATIONALITY,"

BY

JOHN SAVAGE,

AUTHOR OF "'03 AND '43, THE MODERN REVOLUTIONARY HISTORY AND
LITERATURE OF IRELAND," ETC., &c.,

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PREFACE.

IN offering this volume to the public, a few words of explanation are deemed necessary, not so much for its appearance, as for the arrangement of its contents.

As to its appearance, the state of Irish affairs calls for some record, and as, owing to peculiar circumstances, the nearest approach to a perfect chronicle which can now be offered, is an account of those who brought about the crisis and are gallantly struggling through it, the present form was adopted.

The arrangement is not entirely what might be desired by a strict chronologist; but as the *data* had to be obtained from widely scattered references and correspondents—the friends or families of those commemorated—and as the pages went to the press when written, it was found impossible to follow perfect chronological order. As a general rule, the characters are grouped as they acted together, and thus help to illustrate each others lives; and a slight hint will enable the reader to follow the history of the Irish struggle in a direct course, and to fill up, so to speak, the outline given in the Historical Introduction.

Thus (1) in addition to what is said there of the effort in '43, the sketches of Doheny, Meany, O'Mahony and Stephens, further illustrate the doings of that period. (2) Mr. Luby's notice of Philip Gray gives the efforts which imme-

Entered according to Act of Congress, in the year 1863,

By PATRICK DONAHOE,

In the Clerk's Office of the District Court of the District of Massachusetts.

O'SULLIVAN, MURRIS & MARGAT,
STEREOTYPERS,
8 SPRUCE STREET, N. Y.

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6. $\mathcal{A} = \mathcal{A}_1 \oplus \mathcal{A}_2$ and $\mathcal{B} = \mathcal{B}_1 \oplus \mathcal{B}_2$.

causes—Good as well as bad—Why Arrested—Evidence of the Spy
Command—Cause of his Arrest—What Followed—Trial—Evidence of the Spy

CONSTITUTION.

**—Resolves at Jones' Wood—Goes to England—Arrested—Tried for
the Murder of a Priest, with the Duke of Devonshire as a Jury Man**

Youth and School Days—Emigrates to America—Enters the Army—In the
 Irish Brigade—Goes to Ireland—Arrested—Correspondence with U. S.
 Government—Released—Returns to America—Marries—Returns to Ireland—
 Settles in America—Died in 1861.

Three Fenians give Battle to the Waterford Column and Police—Sketch of
 the Fight at North Circular Road—Mentioned in the Irish Press—O'Neill—The

Special Journal, which travels with frequent appearances in public -
 America. The Irish People stated: "The Special Com-
 mission, the 10th (since the trial of Dwyer), in Dublin. Speech in the
 City of Dublin. Association. (since) interesting sketch of
 the city, by Mr. Daly" 347

[illegible][illegible]

Son of a Patriotic Farmer—Penian Propagandist—Studies Medicine—His
Fine Appearance—Arrested—Trial—Speech in the Dock—Colloquy with
Judge—Confession—Sentence—Death in Prison—Want of Error....

John Young Ireland in '48, and Gives up his Wealthy Prospects—In a New Movement in '49—Arrested—Prediction vs. Family Protection—Na-

C. M. TAL JOHN O'NEILL

C. J. VAN DER LUGT AND T. J. VAN DER LUGT

L. D. C. S.

Active Participants

• FILING ESCAPES.

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Appendix: Position as American Citizens - White is Criminal? 57

THE STRUGGLE FOR IRISH NATIONALITY.

CHAPTER 6.

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the English, and the whole of the Penal Code, and the whole of the Whiggish system, and all the rest of the happy, wretched, and bloody system, which does and punishes in a manner, and manner, and manner, the possibility of a man, the Penal Code were established—a code which, as a deep student and shrewd political philosopher of Irish birth, who devoted his life and intellect to the glory of England, Edmund Burke, said, “was a machine of wire and elaborate contrivance, as well fitted for the oppression, degradation and degradation of the people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man.” This terrible legal extermination of the Irish emanated less from intolerance than inhumanity, for the contrivers were too crafty to be fanatics, and only heartless and remorseless enough to be despots, in the widest and meanest acceptation of the term. Intended to send all Catholics to the grave, the Penal Code took hold of them in the cradle.

The children of Catholics could not be educated in Ireland save by Protestant teachers, and could not be sent out of Ireland without being guilty of a Penal offence. Catholic children were to be educated in the English interest or not at all;—their brains were to be kindled by the light of Protestant wisdom, or left in total darkness.

Every profession, save that of medicine, was forbidden to the Catholic. Even though educated by a Protestant, the Catholic student or scholar could not seek the reward of cultivation in any save one of the liberal professions—unless he disclaimed his father's religion and claimed his father's property.

In the trade and commerce of all corporate towns, Catholics were held as pirates and outlaws; being legally excluded from joining or participating therein. In these towns, a Catholic could not sell anything save his land.

No Catholic could hold a long lease, or purchase land for a longer tenure than thirty-one years.

No Catholic could inherit the lands of a Protestant relative, or own a horse of greater value than five pounds. If he was possessed of a valuable animal, any Protestant jockey or gentleman, or both in one, could fancy it and take it by paying five pounds.

A Catholic child, becoming a Protestant, could sue his parents for maintenance, the amount to be decided by the Court of Chancery.

An eldest son, becoming a Protestant, made his father a tenant for life, and the rest of the family were to be content, with a small portion of the portion of all the rest of the family to one-third.

Priests were hunted like wolves, and a reward and offered given to any who would hunt a priest within the Cromwellian fold.

Davis has well epitomized these Penal Laws in verse :

"They bribed the flock, they bribed the son,
To sell the priest and rob the sire;
Their dogs were taught alike to run
Upon the scent of wolf and friar.
Among the poor
Or on the moor,
Were hid the pious and the true—
While traitor knave,
And recreant slave,
Had riches, rank, and retinue."

The history of Ireland, during the Penal Days, is dark and gloomy enough. Occasionally we find great utterances from noble Protestant men in behalf of the general rights of the kingdom; such as Molyneux' *Case of Ireland*, Swift's Drapier Letters, and Dr. Charles Lucas's persistent protestations against the encroachments on the Constitution. Molyneux' brave little book was burned by the common hangman; a reward was offered for the discovery of the Drapier, and his printer arrested; and Lucas had to exile himself into England, to escape the laws enacted by and for the English interest in Ireland. A still stranger commentary on the laws of those days is afforded by the fact that the principles for which Lucas had to fly from Ireland were extolled in England, and drew from such a cast-iron Tory as Samuel Johnson, the strongest encomiums. Indeed, Johnson's allusions to Lucas are

quoted to show that the former was greatly misrepresented by those who regarded him as "abjectly submissive to power." "Let the man," says Johnson, "thus driven into exile, for having been the friend of his country, be received in every other place as the confessor of liberty; and let the tools of power be taught in time, that they may rob, but cannot impoverish."

Though having a patriotic purpose none of the endeavors of those able men might be accounted national in the correct sense of that idea. Molyneux' was perhaps the most so, though Swift's subtle, blunt, and polished philippics against the introduction of Wood's half-pence, created the most universal excitement, and succeeded in accomplishing the object sought. The labors of those trusty men are famous because they were famous in their day. They were ahead of their surroundings in vigor of conception and boldness of expression, and deserve all praise. It remained, however, for Theobald Wolfe Tone to give a positive character to the Irish mind in politics. Other and able men looked to concessions. He alone regarded Rights.

They were hampered by illustrating ideas which in various forms already existed. Basing his views solely on the Rights of Ireland, and not contemplating the welfare of England, with which he deemed he had no

concern, Tone breathed a new life into and unveiled a vast and fresh purpose to those who desired the benefit of the Irish people in Ireland. Others had fought parties, and for successes which left large portions of the people in as dark despondency and degradation as before. Tone labored to unite all, and as he said, to substitute the common name of Irishman in place of the distinctions which had been used to keep them asunder. He withstood the temptations of mere politics as a means of personal advancement, and discarded the overtures made to him by leading parliamentarians of the day. The ground upon which they stood was confined, the prospect presented was narrow, because the purposes contemplated were selfish and purely self-reflective.

When Tone surveyed the state of Ireland he saw her inferior to no country in Europe in the gifts of nature; blest with a temperate sky and a fruitful soil; intersected by many great rivers; indented round her whole coast with the noblest harbors; abounding with all the materials for unlimited commerce; teeming with inexhaustible mines of the most useful metals; filled by four millions of an ingenious and gallant people—with bold hearts and ardent spirits; posted right in the track between Europe and America, within fifty miles of England and three hundred of France; yet with all these great advantages “unheard of and un-

known, without pride or power, or name; without ambassadors, army or navy; not of half the consequence in the empire, of which she has the honor to make a part, with the single county of York, or the loyal and well-regulated town of Birmingham.” He truly argued these were mortifying considerations.

The so-called “revolution” of 1782 had been accomplished. Henry Grattan, backed by the arms of the volunteers, had wrung from England the concession that no power had the right to make laws for Ireland but the King, Lords, and Commons thereof; but the Irish Parliament became only the shadow of the English one. The achievement of Grattan left the power on a broader basis than before in the hands of the Protestant ascendancy. Tone read aright the effects of the “revolution;” and had the courage to speak the truth about it. Eight years after it had been on trial, he says: “The Revolution of 1782 was a Revolution

which enabled Irishmen to sell, at a much higher price, their honor, their integrity, and the interests of their country; it was a Revolution, which, while at one stroke it doubled the value of every borough-member in the kingdom, left three-fourths of our countrymen slaves: it found them, and the Government of Ireland in the base and wicked and contemptible hands, who had spent their lives in degrading and plundering her; nay, some of whom had given their

last vote decidedly, though hopelessly against this our famous Revolution. Who of the veteran enemies of the country lost his place or his pension? Who was called forth to station or office from the ranks of the Opposition? Not one! The power remained in the hands of our enemies, again to be exerted for our ruin, with this difference, that formerly we had our distresses, our injuries, and our insults gratis, at the hands of England; but now we pay very dearly to receive the same with aggravation, through the hands of Irishmen; yet this we boast of, and call a Revolution!"

This revolution concentrated power in the hands of the aristocracy and lifted no weight from the necks of the people. The position of the three great classes into which the inhabitants of the island were divided will show to any candid mind the truth and force of Tone's deductions.

The Protestant party had been for more than a century in easy enjoyment of the church, the law, the revenue, the army, the navy, the magistracy, the corporations, and all institutions receiving or extending patronage. Not one-tenth of the population, and descended from foreign plunderers and usurpers, they alone beheld security in maintaining an English interest in Ireland; and England, profiting by their weaknesses, augmented their fears, kept them in a state of perpetual trepidation, gave them her protection, and

took in exchange the commerce and the liberties of Ireland. The events of the American Revolution emboldened the Catholics and Presbyterians, and forced the Protestants into some slightly beneficial measures of redress, but they remained attached to their protectors, a party property, an aristocracy.

The Dissenters—double in numbers to the Protestants—were chiefly manufacturers and traders, and did not believe their existence depended on the immutability of their slavishness to England. "Strong in their numbers and their courage, they felt that they were able to defend themselves, and they soon ceased to consider themselves as any other than Irishmen." They formed the flower of the Volunteer Army of '82, and were the first to demand Reform.

The Catholics were numerically the most formidable, embracing as they did, the peasantry of three provinces, and a considerable portion of the business class. The exactions of the Penal Laws had left them but a small proportion of the landed interest. "There was no injustice, no disgrace, no disqualification, moral, political or religious, civil or military, that was not heaped upon them." Under such a system, it is no wonder that the peasantry were both morally and physically degraded, and the spirit of the few remaining gentry broken.

Tone aspired to infuse into the Catholics a spirit

of civil and religious liberty. The overwhelming injustice of their position appealed powerfully to his sense of right as a man as well as an Irish-born man. His desire was to unite them with the Dissenters, and thus present to the party representing the government and the evils of English connection, a broad, popular front on which toleration would be written in letters of light. His objects and means were thus lucidly indicated. "To subvert the tyranny of our execrable government, to break the connection with England, the never-failing source of all our political evils, and to assert the independence of my country—these were my objects. To unite the whole people of Ireland, to abolish the memory of all past dissensions, and to substitute the common name of Irishman, in place of the denominations of Protestant, Catholic and Dissenter—these were my means."

Here we have the well-defined plan upon which the Society of The United Irishmen was founded. It was a bold and mighty step towards a true nationality to disentangle politics from religion in those days. Tone's plan surmounted the sectional difficulties which had made the island for centuries alternately a prey to remorseless depredation on the one hand, and as savage retribution on the other. To unite the elements descended from such recklessly discordant parentage—to lift them out of their age-fostered and blood-anoint-

ed passions, into a passion for an ennobling common object—to bind them as close in friendship as they had been knit in fight, was an original, daring, and, judged by the obstacles to be overcome, almost sublime scheme.

Tone founded the first Society of United Irishmen, on the 12th October, 1791. On the 12th October, 1798, the seventh anniversary of the foundation of practical patriotism in Ireland, he was captured on board the *Hoche*, 74 guns, the admiral's ship of a portion of the third expedition he had projected in France and Hamburg, for the aid of Ireland. Between those dates a wonderfully inspiring history was enacted in Ireland. United Irishism spread into all ranks, inflaming alike Catholic peasants and Protestant peers with a divine fervor, and bringing round the common altar of their country noble clergymen of every denomination. The Rev. William Jackson, a Protestant clergyman, undertook to sound the Irish in 1795, on the subject of an alliance with France, was betrayed by an English attorney, and died in the dock. Messrs. Warwick, Stevelly, and William Porter, Presbyterian clergymen, were hanged. Rev. William Steele Dickson, of the same denomination, who had been the early asserter of Ireland's independence and advocate of his Catholic fellow-countrymen, was, for nearly two years, Adjutant-General of the United Irish of Ulster. "Bet-

ter die courageously in the field than be butchered in the houses," said Father John Murphy, putting himself at the head of his flock, after the yeoman had burned his chapel over his head, in May '98. The royalists did not know the flame they were kindling, when they set fire to the little chapel of Boolavogue. "We must conquer or perish" cried this priest-leader to his pikemen, at Oulart Hill, and they conquered. This reverend General Murphy was heard from at the battle of Enniscorthy, at Vinegar Hill, and other tough conflicts: as also were Father Philip Roche, who commanded at the bloody fight at Tubberneering, where Col. Walpole fell, and was subsequently elected generalissimo of the Wexford troops; and the soldier-priests, Moses Kearns and Nicholas Redmond, who drove Col. L'Estrange and his dragoons into Newtownbarry, and even had the audacity to engage and rout the garrison of over five hundred troops. Kearns subsequently made a desperate defence of Enniscorthy against General Johnston, and carried a serious wound from the fight, which led to his capture. Father Clinch, with those named, was one of the leaders of the patriots on the great but disastrous day of Vinegar Hill. Another prominent and brave priest-leader was Father Michael Murphy. The history of the patriot priests of '98 affords a thrilling chapter, which should be separately set forth for the sake of the noble

example furnished by their devotion and sacrifices. Aroused by inhuman barbarity and oppression, they made common cause with their persecuted flocks. They showed them how to fight on the field; and how to die, if need be, on the scaffold, as did Roche, John Murphy, Kearns, Redmond, Prendergast, Quigley, and others. Father Michael Murphy was vouchsafed the nobler death on the field, being torn to pieces by a cannon-ball while leading on a division of pikemen at the battle of Arklow.

The war for national independence, projected by the United Irishmen, was forced into a premature explosion by the government. On the 30th March, 1798, Lord Camden, the viceroy, proclaimed all Ireland under Martial Law. The proclamation was a brutal incentive to riot. Armed with it the military and "authorities" went about the country exasperating suspected localities, creating feuds for the sake of punishing individuals, and involving individuals that whole districts might be plundered. What was true of one locality was but too true of all. "The inhuman tortures instituted by the yeomen, the barbarities inflicted without regard to age or sex, the scourgings, pitch-caps, house-burnings, and murders, then drew a distinct and bloody line between those who acted for, and under the protection of, the government and the people. No man was safe, no woman invio-

lable, private pique found vent in public vengeance; and the magistracy falling into the hands of Orange factionists, was at once witness, judge, jury and executioner."*

While the people on the one hand were goaded into unbearable agony, the leaders of the people on the other hand were seized, hanged, banished, put out of the way with indiscriminate fury. The betrayal of the plans and several prominent leaders by the infamous Thomas Reynolds, the Arnold of Ireland, on the eve of the rising, with the distraction which followed was an irreparable blow to the project. Judged by the light which documentary history has thrown on the period, the chances of success of the United Irishmen loom into very great proportions, while the destinies of England seem to have been held by a very slender thread. Madden is right when he says of the United Irish Society, that "whether viewed in its results, the character of its members, or the nature of its proceedings, it may certainly be regarded as a confederacy which no political or revolutionary society that has gone before it has surpassed in importance, boldness of design, and devotion to its principles." On the other hand, England's incontrovertible danger may be judged from the fact that had either one of Tone's

* "Ninety-Eight and Forty-Eight, Irish Revolutionary History and Literature." Third Edition, New York, 1837. p. 70.

expeditions been favored with a fair wind to carry it to its destination, England could not have held Ireland, and half of her prestige would have been gone. It is not disputed that England was saved by the elements that scattered Tone's expeditions. The active civil war lasted less than five months, that is from the rising of the people, 20th May, to the capture of Tone, but its extent, and the vigor with which it was sustained may be comprehended from its cost to the people and the government. The English employed 137,000 men to suppress the "insurrection." Its cost in money is variously estimated at thirty millions and fifty millions pounds sterling. The English lost twenty thousand men; the Irish fifty thousand. The royalists received one and a half millions sterling for damages to property. No estimate can be made of the damage perpetrated on the property of the people. It may be indicated by the fact that the Catholic churches burned, of which any account was kept, amounted to sixty-nine. This, as Madden says, "may afford some criterion by which we can judge of the number and extent" of other outrages on property belonging to persons of that communion.

The "Union" followed the "rebellion," and in the reckless corruption and infamy by which it was carried was a fitting sequel to the murderous barbarity by which the latter was precipitated and concluded.

Twenty-one years before the Union was effected, Samuel Johnson well characterized the *animus* which would and did govern England in seeking it. "Artful politicians," as Boswell characterizes them, had often in view a Union between Ireland and England, and in 1779, Johnson, expressing himself on the subject to a gentleman from Ireland, said: "Do not make a Union with us, sir. We should unite with you only to rob you."* As Johnson indicated the spirit of rapine which would follow a Union, so Byron, twelve years after its accomplishment, stigmatized and illustrated the rapacious dishonesty of the measure. "Adieu," said he, "to that Union so-called, as *lucius a non lucendo*, a Union from never uniting, which, in its first operation, gave a death-blow to the independence of Ireland, and in its last may be the cause of her eternal separation from this country. If it must be called a Union, it is the union of the shark with its prey; the spoiler swallows up his victim, and thus they become one and indivisible. Thus has Great Britain swallowed up the parliament, the constitution, the independence of Ireland, and refuses to disgorge even a single privilege, although for the relief of her swollen and distempered body politic."†

* Boswell's Johnson, by J. Wilson Croker. Enlarged by J. Wright. Bohn's edition, 1859. Vol. VII, p. 295.

† Speech by Lord Byron, House of Lords, April 21st, 1819, on Lord Donoughmore's motion for a Committee on Catholic Claims.

The manner in which the Catholic peasantry were butchered in '98 to put down the rebellion, and the style in which the Protestant "gentry" were bought and sold in 1800, to effect the Union, were equally disgraceful, and proclaimed as loud as desperate deeds could proclaim that Ireland was not the patient slave of England, and that there was not, and could not exist a mutually beneficial or respected union between them. After quartering her native and Hessian mercenaries on the devoted people of Ireland, England quartered with much parade the arms of Ireland on the British Flag—this too while the wanton agonies, inflicted by the former, were fermenting into vengeance, which took form in a few years afterwards in what is known as Emmet's Rebellion, and which was, although nobly inspired and well conceived, but a faint echo of the great fight in '98.

In Paris, where Robert Emmet spent the early autumn of 1802, deep in military studies, he met his brother Thomas Addis, and the exiles of '98, including some of the students who had been expelled with him from the University of Dublin, for national reasons. Irish affairs naturally engrossed their attention, especially as the relations between France and England were not of the most amicable nature. He had interviews with Buonaparte and Talleyrand, from which he hopefully speculated, inasmuch as the patched-up peace

In his written communication with Buonaparte, Addis Emmet also, in unmistakable language, scouted the idea that the Irish would accept aid on any such terms. It never was the idea of any of the Irish revolutionists. Impressed by the anxious representations from Ireland the majority of the exiles concurred in a co-operative movement when France would be ready to strike England on her own account; and from his connections, enthusiasm, and ability, Robert Emmet became the leading agent in the movement.

William Lawless accompanied Emmet to Ireland; Thomas Russell, regarding whom Tone said, "I think the better of myself for being the object of esteem of such a man," and who had but just quitted his prison at Fort George, went to Ireland to lead the men of the North, over which district he was appointed General-in-Chief. Putnam McCabe's presence in the country was made memorable by his felicitous escape from the soldiery at Belfast. Michael Dwyer was at the head of a brave band of mountaineers in Wicklow. Nicholas Gray, Bagnal Harvey's aide-de-camp in Wexford in '98, was in the movement. The indefatigable James Hope, the weaver of Temple Patrick, who had been the secret agent of the leaders of '98, and who, with McCracken, led the insurgents at the gallant fight at Antrim, was still unceasing in his allegiance to the national cause.

So far as I can discover, all the funds at Emmet's disposal amounted to about seventeen thousand dollars—ten of which comprised all his own fortune; the other seven thousand being contributed by Philip Long, a patriotic and wealthy tradesman of Dublin, who entered fully into the conspiracy.

The principles held by Emmet were those of Wolfe Tone. Like Tone, too, young Emmet's energy was inexhaustibly great. No man who reflects on his career will fail to be struck with the irrepressible vigor with which he carried on his preparations; now planning, now superintending his various depots, and the manufacture of arms. In one of these places he slept on a mattress on the floor, that he might be always present to oversee what was going forward, to animate his workmen, and to meet any emergency that might arise to demand the governing power of his presence, or the inspiration of his example.

The accidental blowing up of a powder depot, on the 16th July, 1803, drew attention to the conspiracy, and precipitated events to a fruitless end. In fact, with that explosion, United Irishism was blown into fragments for more than two generations. The dogs of the street licked the blood of Emmet from the pavement under his scaffold, his body was hidden in an un-inscribed grave, and upon the ruins of those efforts for a distinct idea of nationality, arose, and in greater

proportions, the fabric of a sectional agitation. This agitation was needed; but it was not all that was needed. The United Irishmen had started the agitation of Catholic rights on broad national grounds. In taking up the theme, O'Connell circumscribed both. The United Irishmen labored to create a spirit of toleration between all denominations. O'Connell did not think this essential; was the belligerent and powerful advocate of one and the ready and defiant antagonist of all others. Gifted with great ability and vast and subtle knowledge of the people, both combined to make him the leader by reflecting the humor, appealing to the misery, defying the enemies, and, by giving expression to the passions of his countrymen, which had acquired rancor and vindictiveness from having been so long choked in silence.

That the agitation for Catholic Emancipation was needed, all admit; that it was not all that was needed no rational being will deny. Subsequent agitation for the Repeal of the Union proved that more was wanting than such emancipation as was vouchsafed to the Irish Catholics. In advocating Repeal, Davis succinctly epitomizes what was achieved by the one and what is embraced in the other:

"From 1793 to 1829—for thirty-six years—the Irish Catholics struggled for Emancipation. That Emancipation was admission to the Bench, the Inner Bar, and Parliament. It was won by self-

denial, genius, vast and sustained labors, and lastly by the sacrifice of the forty-shilling freeholders—the poor veterans of the war—and by submission to insulting oaths; yet it was cheaply bought. Not so cheaply, perchance, as if won by the sword; for, on it were expended more treasures, more griefs, more intellect, more passion, more of all which makes life welcome, than had been needed for war; still it was cheaply bought, and Ireland has glorified herself, and will through ages triumph in the victory of '29.

"Yet what was Emancipation compared to Repeal?

"The one put a silken badge on a few members of one profession; the other would give to all professions and all trades the rank and riches which resident proprietors, domestic legislation, and flourishing commerce, infallibly create.

"Emancipation made it possible for Catholics to sit on the judgment seat; but it left a foreign administration, which has excluded them, save in two or three cases, where over-topping eminence made the acceptance of a Judgeship no promotion; and it left the local judges—those with whom the people has to deal—as partial, ignorant, and bigoted as ever; while Repeal would give us an Irish code and Irish-hearted Judges in every Court, from the Chancery to the Petty Sessions.

"Emancipation dignified a dozen Catholics with a senatorial name in a foreign and hostile Legislature. Repeal would give us a Senate, a Militia, an Administration, all our own.

"The Penal Code, as it existed since 1793, insulted the faith of the Catholics, restrained their liberties, and violated the public Treaty of Limerick. The Union has destroyed our manufactures, prohibits our flag, prevents our commerce, drains our rental, crushes our genius, makes our taxation a tribute, our representation a shadow, our name a bye-word. It were nobler to strive for Repeal than to get Emancipation."

It is without the scope of these pages to follow the wondrous career of O'Connell through the Catholic and Repeal agitations; but it cannot be without sug-

gestiveness to those who follow the changes in popular opinion to observe the persistent and positive recurrence of the Irish to those ideas which were in the ascendant before O'Connell became prominent. O'Connell's career was in a great degree a repetition of Grattan's. Both brought peculiarly powerful inspirations into politics, and the powers they respectively encouraged, if not evoked, went far ahead of the design contemplated by either. The spirit installed and animated by Grattan and the volunteers was a potent element in the formation of United Irishism, and its struggle in '98; and the talent which rallied round the latter years of O'Connell's great Repeal agitation, was the direct agency that led to the attempted revolution in '48. Grattan had said "Liberty with England, if possible,—if not, without her. Perish the British Empire—live Ireland." And O'Connell had used as a standing text, until the words became household, indicating a future:

"Hereditary bondsmen, know ye not
Who would be free, themselves must strike the blow."

Grattan, however, also said, "May the kingly power that forms one estate in our constitution, continue for ever;" and O'Connell, while claiming "Ireland for the Irish," also said "God Save the Queen."

The progressive patriots thought these latter exclamations were used for the sake of policy, and

believed the leaders meant more than they actually did. So when they deemed the period for policy had passed, and the era for honesty arrived, the progressive volunteers became United Irishmen, to carry out Grattan's idea—"Perish the British Empire—live Ireland;" and the Young Ireland Repealers became Irish Confederates to carry out O'Connell's declaration of "Ireland for the Irish." Grattan lived to see his country reduced to that condition in which O'Connell's maturity found her, and, dying in London, his ashes enhance the memories of the pantheon of Ireland's oppressors—he was buried in Westminster Abbey. O'Connell, seeking for health far away from those scenes it had ever blest—far from his beloved Kerry Mountains, died in Genoa, bequeathing his heart to Rome, and the case that had held it to Ireland.

The Young Ireland party differed from O'Connell because he would not allow it the right to differ. The inspiring centre, if not the founder of this party, was Thomas Davis, who died before O'Connell, but lived long enough to feel that a difference if not a conflict of opinions, between his associates and the old chief was inevitable. Davis was a concentration of nationality and of everything that tended to nurture or spread it, whether in the paths of letters, art, manufacture, or politics. Everything Irish had a sig-

nificance to him of service to Ireland. As Smith O'Brien said, "Love of country was the passion of his life—the motive for every action—the foundation of every feeling." With characteristic force, as indicating his creative power of patriotism, Doheny said, Davis "Struck living fire from inert way-side stones. To him the meanest rill, the rugged mountains, the barren waste, the rudest fragment of barbaric history, spoke the language of elevation, harmony and hope." Meagher's first speech was a sweet tribute in honor of the dead, and upon the fresh grave of his friend, John Mitchel laid as a dedication offering the first fruits of his labors in Irish literature—the life of Aodh O'Neill.

After remonstrating in vain with the O'Connellites, the Young Ireland party received great accessions of strength, and on the 13th January, 1847, formed the "Irish Confederation." This organization was a brilliant representative of Irish honor and intellectual attainment. The genius and enthusiasm of the country rallied round it. The great journal, *The Nation*, which had fostered all the national resources, in whatever form they presented themselves, had a legitimate offspring at maturity in the Confederation. *The Nation* had attracted the applause of Europe and America as the spirit of progressive Ireland: the Confederation disclosed the active body behind it.

In intellectual endowments the "Young Ireland" party will compare favorably with the men of '98, with one exception. That exception is Tone. As a political writer he was alone in his day. He has not been equalled since. He was not only a patriot but a statesman and diplomat; a combination rarely to be found. He was not only almost inexhaustibly suggestive, but he was also practical. He differed from most men who have one grand idea, in the fact that he never put the attainment of his object in jeopardy by publicly ignoring the sense of those who had other ideas or differed from his. While he was firm he was also considerate. To this faculty may be attributed the power he had with men. His pamphlets are characterized by fervor and argument, never by abuse. Thomas Davis, however, had one great advantage over Tone in seizing the popular heart, and throbbing it with healthy and indignant pulsations, he was a poet. His prose essays are abundantly illustrative of noble aspirations and ready gifts, but his poems are passionately national, and contain that fire which cannot be extinguished.

If the members of the Irish Confederation, taken as a party, were not only equal to, but beyond the United Irishmen, as poets, orators, and publicists, they were far behind them as revolutionists. It may be that from the formation of the Confederation,

time was not permitted to develop the revolutionary ability of the body until it was extinct; and it is true that foreign example, especially the French Revolution, and the writings of John Mitchel, forced the leaders, and, through them, the people into a position not contemplated as so closely imminent. The Confederation was not a secret or oath-bound organization as the United Irish Society was. It might have become so had it lived longer. The United Irish Society was twice as long in existence before it took refuge in secrecy from the persecution of the government, and reorganized on a military basis. Originally started to effect Catholic Emancipation and Parliamentary Reform, it was persecuted into the wider field of Republicanism. The Confederation was designed to educate and organize the people—to achieve Repeal by moral force, if possible; by physical force, if necessary.

The famine years had been regarded by English ministers as powerful allies for the reduction of the Irish. Measures of relief were suggested in and out of Parliament, resolutions carried, committees appointed, discussions held as to what caused the famine? how far the potato blight had gone? how could it be stayed? Science grew blind experimenting; and the groans of the dying, which maddened the Irish only made the ministers deaf. Although

there was not a county in Ireland which had escaped the potato-rot, and the consequent scarcity of food and funds, yet the landlords were as unrelenting as ever in driving and grinding the impoverished peasantry. Meanwhile, the island was rifled of its grain and cattle to meet the exigencies of the absentees and the English interest in Ireland; and the Government, to make a show of charity and protection to the world, bought up some foreign corn for the "poor Irish." It might have bought the food in the country, and distributed it; but that would have been the means of circulating money and staving off famine; and neither of these appliances were calculated to sustain an English interest in Ireland. No! every vessel seeking the doomed island with foreign corn "was sure to meet half a dozen sailing out with Irish wheat and cattle." There was no end to the meetings of learned bodies, and the reports they made. Every thing was done but the one thing necessary—feed the people.

Where famine and fever did not put the peasantry beyond the power of injuring the English interest, "agrarian outrages," as the desire for food was called, brought them within the clutches of the law. The process was complete, and none will say it was not powerful. First, the people were systematically starved; and for those who escaped death, the minis-

ters supplied a trap in the shape of the Coercion (Agrarian Outrages) Bill, to restrain the daring which gave them a desire to live. "Old Ireland" had gone with the Whigs, and the Whigs had gone against Ireland, as usual, notwithstanding the promises of beneficial measures, by which Lord John Russell had duped the Old Repeal Association. "Agrarian outrage" was the plea made to excuse Whig concessions on the one hand; and on the other, to declare in Parliament that it were better to "out-rage the Constitution," than allow the present state of affairs to continue in Ireland.

In the face of these actions, the Irish Confederation had work enough on hand, were it equal to the occasion. But it was not. Although it had, on the statement of its secretary, upwards of one hundred and fifty thousand enrolled men in the clubs,* yet the Confederate organization was far from perfect, and the amount of arms possessed by it insignificant. Inspired, as it was, by a noble sense of nationality, still the distinct purposes of the Confederacy were not widely defined or understood. The opinion of the body of its members was in a transition state, between the old principles they had left, and the new ones which were not fully adopted. This led to differences

* This statement of members I find in a pamphlet entitled, "A Disclosure connected with the Late State Prosecutions in Ireland, &c., by Thomas Matthew Halpin, Secretary of the Irish Confederation, Dublin, 1849.

among some of the leaders, and suggested the necessity of a definite programme of guidance in the Confederation. Mitchel, not seeing anything in the famine policy of the Government but "a machinery deliberately devised and skilfully worked for the entire subjugation of the island,—the slaughter of a portion of its people, and the pauperization of the rest," believed that resistance should be opposed to the system at every point: that the transport and shipment of provisions should be obstructed and rendered impossible: and that the people should be advised *not* to give up their arms, under the law made to disarm them, but to provide more, especially pikes, of which the soldiery were in great horror. O'Brien, Duffy, and the *Nation*, partly remonstrated against this course, as it would be a virtual declaration of war. On the two days debate which followed in the Confederation, Meagher gave the weight of his popularity, and turned the scale against Mitchel's views; and Mitchel having already retired from the *Nation* set up the *United Irishman*, to promulgate the doctrines he thought best suited to the crisis. Throughout these movements Devin Reilly was the able lieutenant of Mitchel.

The French Revolution of February, 1848, created great excitement in Ireland, giving a new impetus to the Confederation, and apparently ratifying the

republican indications of Mitchel. The Confederate orators now rivalled the revolutionary vigor of the *United Irishman*. In the first week in February the assembled Confederates voted down Mitchel's war programme: a month afterwards, Meagher, the voice of the Confederation, declared that if the Government did not accede to the demand for the reconstruction of Irish Nationality, he was ready to cry "up with the barricades, and invoke the god of battles." The Confederation also sent an address to France, which declared that her heroism "taught enslaved nations that emancipation ever awaits those who dared to achieve it by their own intrepidity." These significant expressions were seized with avidity by the people, as indicating a desire to fight. If the Whig Ministers affected to treat the Irish movement with contempt, the Tory leaders forced them out of that position. The Earl of Derby, in the House of Lords, called the Government to task, and said of the Irish leaders, "These men are honest; they are not the kind of men who make their patriotism the means of barter for place or pension." The Whigs, disgusted at the Tories calling the Confederates honest and high-toned, determined to render their cause as degrading as English law could make it. The Treason-Felony Act was therefore passed. What was heretofore known as treason to the Crown,

which in Ireland was regarded as patriotism, was by this Act made a felony and the patriots "felons."

The arrest of John Mitchel quickly followed, and the national excitability seemed to culminate in the idea that now was the time for a general uprising. The Council of the Confederation, after the most strenuous exertions, prevented an outbreak, and excused its action in an Address to the People. The Council feared that an attempt to rescue Mitchel, and to free Ireland, would prove abortive. "We, therefore," said the Address, "interposed, and with difficulty succeeded in preventing the fruitless effusion of blood." Mitchel was permitted to be banished; and the Government, seeing the Confederates waver at the very crisis of the excitement, pushed matters with its usual recklessness and vigor. The *Irish Tribune* sprang into the gap made by the demolition of the *United Irishman*, and, two weeks after, the *Irish Felon* was by the side of the former laboring for the same ends. "The harvest," was now the cry of the patriots. "Wait for the harvest, and we will, in God's name, strike a blow." The Government, however, would not wait so long. All its power was put forth to force a rising, that it might crush it. The *Tribune*, *Felon*, and *Nation* were seized, and the editors and proprietors thrown into prison. The Gagging Act prevented the leaders from addressing the Clubs in

the cities; and the suspension of the *Habeas Corpus* Act compelled those who had rendered themselves objects of suspicion, to evade the authorities. Thus these men were thrown on the country, when they had helped to chill its spirit, or make it irresolute by hope deferred. The leaders had to "take to the hills." Rewards were offered for the more prominent, and the natural gallantry and truth of the Irish peasant created a sympathy where even a knowledge of the political situation had been but imperfectly understood. Hunted with celerity they strove to face the emergency in hurried councils, and with undisciplined material, and having come in contact with the British forces at the Slate Quarries, Mullinahone, Killenaule, Ballingarry, Abbeyfeale, and other places, they were either captured or found safety in escape and exile. Of the chief men, O'Brien and Meagher were captured, tried, found guilty, and sentenced to death, which was subsequently commuted to banishment for life; and Doheny, Dillon, Devin Reilly, O'Gorman and others, after various adventures, escaped, and found their way to America. Later in the year, in September, a more persistent effort was made by Messrs. O'Mahony and Savage to rally the people in Tipperary, Waterford and Kilkenny, and to retrieve somewhat the disasters that had preceded. After demonstrations on the mountains of these localities, and

conflicts at Portlaw barracks, Glenbower, Seangh, and other places, the movement was given up as hopeless.

Looking back calmly at the events of '48, and comprehending details which only time can present in their true light, there can be no rational doubt of the fact that the people were not prepared to attempt or effect a revolution by arms that year. There was no organization; the Confederation was not sufficiently long in existence to have put the country on a fighting basis; and without organization nothing could be effected. The French Revolution came too soon for the good of Ireland. There were moments when a shot would have set the revolution going with an *esprit* and a fervor, the result of which cannot be imagined.

The 10th July was such an occasion, when the populace of Waterford and Cashel raised barricades to prevent the arrest of Meagher and Doheny. It needed Meagher's most impassioned exertions to free himself from his friends, that he might be arrested by his enemies. Doheny was taken out of jail by the Cashel men, recaptured himself, and only was permitted to do so by pledging his word that he was arrested on a bailable offence. Both, unknown to each other, feared to precipitate a revolt, because the leaders had no settled plan of action. The chief occasion

of the year, however, was the trial of Mitchel. The leaders were all at liberty, and the enthusiasm of the people intense and manageable. The Government had shown its vindictive intentions, which created as daring a desire of defiance, and the halo encircling the first martyr inspired the masses of the Dublin clubs with a frenzy which declined after the disappointments of that day.

CHAPTER II.

Did Young Ireland achieve a Victory—The released Prisoners and the Exiles at work—Continuous efforts to keep up a National Organization—The Fenian Brotherhood—Its Beginning and Extension—First Congress at Chicago—Declarations of Purposes—Not a Secret Society—The Poles and the Pope—O'Mahony elected Head Centre under the New Constitution—Second Congress at Cincinnati—Growth of the Brotherhood—Report of the Envoy to Ireland—Council enlarged—State of Affairs in Ireland—The I. R. B.—James Stephens and his Connection with the Organization—Extensive Disaffections—Seizure of the *Irish People* and its Editors—Arrests all over the Country—Third Fenian Congress in Philadelphia—Mr. Meelan's Report—Constitution of the F. B. changed—Differences between the "President" and the "Senate" result in an "Irish Party" and a "Canadian Party"—Fourth Congress restores the Old Constitution, endorsed by Military Convention—Excitement in Ireland increases—Arrest and Escape of Stephens—Lord Wodehouse on the Conspiracy—The Country not safe unless the *Habeas Corpus* is suspended—Debate on that Measure—John Bright, Stuart Mill—The Irish Members—John B. Dillon—The O'Donoghue—Passage of the Bill.

By the events of '48 "Young Ireland" was disbanded but not defeated. The new soul which came into Ireland and was manifested in the songs, essays, speeches and publications generally of the members of that party, could not be extinguished. If they did not organize, they *did* wonderfully help to educate the people with a healthy, manly and hopeful literature. Their efforts in this regard have produced legitimate results; and in the spread of their ideas, hopes, affections and romantic feelings touching the uses of every

phase of Irish life to the end of Irish freedom, prepared the people to appreciate organization, which, powerful at all times, is all the grander and more reliable when founded on and sustained by intelligence.

Philosophically judged, Young Ireland achieved a notable and fruitful victory. On the one hand it compelled England to show the ruffian hand by which the "sister island" was governed. This was not lost on the world; the French Government adroitly 'al-luded to it in 1860, when Persigny was "enlarging the liberty" of the French Press. On the other hand it bestowed a new literature on the country, which commanded even the admiration of its enemies, and is the touchstone of all literary endeavor in Ireland since. Irishmen who could not embrace the politics of Young Ireland, welcomed the literature which seemed to combine the best characteristics of all that had gone before, with an informing spirit emanating from pure hearts and able heads.

Even in the disruption of the party, its scattered elements were destined to do wondrous service in testimony of the national faith and character of Irishmen, and of continued tribulation to the Government of Ireland. Those who were kept in jail under the suspension of the *Habeas Corpus* act, like Fenton Lallor and Joseph Brenan, were no sooner released than

they were planning and projecting, with other untiring spirits, a renewal of armed hostilities in 1849.*

The exiles who were in France took advantage of the disrupted state of that country, to study successful means of revolution, and to interest many able Frenchmen in the Irish cause—no very difficult matter to be sure, as in addition to the sympathy between the Irish and French, descending from old military alliances, anything against England is attractive to a true Frenchman. The exiles in America, in the press, the lecture-hall, the drill-room, possessed welcome vehicles for the expression and expansion of the doctrines which had driven them from home; and even in the penal colonies, to which England had banished those who had fallen into the embrace of partisan judges and packed juries, the gallant settlers received as friends those who were branded as felons, and intrigued and conspired to set them free.

It would be impossible, even were all the materials at hand, to present at this date anything like a fair record of the unceasing, though sometimes contracted efforts made in Ireland and America to keep alive one organization after the other for the encouragement and indoctrination of Irish national principles. The history of these efforts, when written, will prove of deep interest, and give evidence of the undying devo-

* See the facts given in Mr. Luby's sketch of Philip Gray, in this volume.

tion of all classes of Irishmen to the freedom of their native land.

Distracted, now by differences of able men, now by the jealousies of weak ones; at other times by the well-meant officiousness of ignorance; again by the want of means, and the bickering results of such a condition; sometimes falling into apathy by the dropping out of some earnest spirit, whose sensitiveness would pall before an accumulation of the visitations described, it is remarkable that some one was always found to cheer, to encourage, and give life and vigor to a nucleus of nationalists. The connection was thus kept up, sometimes by a happily-welded link, at others by a very fragile rope indeed. I have chiefly referred to the projective societies in New York, with which the congenial societies in Ireland were in communication.

One great source of dissatisfaction arose from the very hopefulness which kept the cause alive in Ireland, and which led men there to exaggerate the means at their disposal. The mistaken idea, also prevailing in Ireland, of the position of the exiles in America, who, it was thought, could control any amount of money and war material, caused the demands made on them to be of an equally-extensive character. It is needless to say, these demands could not be complied with. The existence of those societies

was always precarious, sometimes exciting, but all were guided by worthy aspirations.

The Fenian organization was the result of the societies which had preceded it. The most imposing of them had fallen away, and the nucleus from which sprung this formidable power was composed of Michael Doheny, Michael Corcoran, John O'Mahony, and one or two others. From small numerical dimensions it slowly but steadily expanded to the form in which it has arrested the attention of the world.

When O'Mahony was elected president of the society, and at the same time received his commission as Head Centre from elsewhere, toward the end of 1858, it numbered forty members, all of whom resided in the city of New York. It had a great struggle for existence, but ultimately succeeded beyond the most sanguine hopes of its projectors. In five years it put forth its branches from the Atlantic to the Pacific. Stretching northward, it had crossed the St. Lawrence and the great lakes, spreading widely over the British provinces. Toward the south it had reached the mouth of the Mississippi, before the great rebellion cut off communication with the southern circles. Up to 1863, the Fenian Brotherhood was little understood outside of the circles composing it. Its representatives had never been summoned together to adopt such a constitution and rules for general government, as an

association of its extent might have warranted. It had more the nature of a military organization than a civil and self-governing body; and while this suited its infancy, many disadvantages became apparent when it had grown in numbers, intelligence and power. These disadvantages suggested to the Head Centre, that the organization should be reconstituted on the model of the institutions of the Republic, governing itself on the elective principle. It was then decided to call a National Congress.

Other matters pertaining to the welfare of the Brotherhood demanded the consideration of its assembled wisdom. Thousands of the most ardent and best working members had rushed to the defense of the Union. Many whole circles had entered the army in a body, like the flourishing one at Milford, Mass., under its gallant centre, Col. Robert Peard. No less than fifty branches had become extinct or dormant, and the rest had lost considerably in ardor and efficiency, through the absence of their choicest spirits in the field. In the West, the Brotherhood had sustained an almost irreparable loss in the death of the Rev. Edward O'Flaherty, the devoted pastor of Crawfordsville. His death seemed to paralyze Indiana, which, during his life, was the "banner state" of Fenianism! The revolutionary Brotherhood in Ireland demanded aid and sympathy; so the call for the first National Congress was issued.

This body assembled at Chicago, in the Fenian Hall of that city, on the 3d November, 1863. Sixty-three circles were represented, having a constituency of fifteen thousand men, half of whom at least were in the armies of the Union. "We no longer need generals of our own blood," said Mr. O'Mahony, in the opening session, "to lead us to battle for Ireland, nor veteran soldiers to follow them." The Congress met to place the Organization on a basis in accordance with the habits and customs of the United States, and to declare its position and objects before the world, so that all the friends of Irish freedom could understand them. It adopted a series of resolutions and formed a Constitution and By-Laws which promulgated the faith of Fenianism.

The organization was declared to be—

"An Association having for its object the national freedom of Ireland, and composed for the most part of citizens of the United States of America, of Irish birth or descent, but open to such other dwellers on the American continent as are friendly to the liberation of Ireland from the domination of England, by every honorable means within our reach, collectively and individually, save and except such means as may be in violation of the constitution and laws under which we live, and to which all of us, who are citizens of the United States, owe our allegiance."

An unquestionable right was claimed under the Constitution of the United States to aid with money, or moral or political influence any struggling nation.

Deeming the preservation and success of the Union of supreme importance to the extension of democratic institutions, and to the well being and social elevation of the whole human race; it was

"Resolved, That we, the Representatives of the Fenian Brotherhood in the United States, do hereby solemnly declare, without limit or reservation, our entire allegiance, to the Constitution and Laws of the United States of America."

All subjects pertaining to partizan American politics and religion were ignored.

The hostile assertions that the Brotherhood was "a 'Secret Society,' bound together by an OATH, and, as such, distinctly condemned by the Catholic Church, through certain rescripts thereof, leveled against the Freemasons, Carbonari, Odd Fellows and other similar associations, social or political," were repudiated and denied by resolution—

"That we, the members of this Convention, most distinctly declare and make known to all whom it may concern, but without the slightest disrespect to any of the societies above-named, that the Fenian Brotherhood is not a Secret Society, inasmuch as no pledge of secrecy, expressed or implied, is demanded from the candidates for membership thereof; neither is it an oath-bound Society, for no oath whatever is required in order to entitle a man to all the privileges of the association."

The following embraces the objects sought, and the means by which it may be accomplished:

"Resolved, That it is the special duty of the members of the Fenian Brotherhood to strive with all their might, and with their

whole heart, to create and foster amongst Irishmen everywhere, feelings of fraternal harmony and kindly love of each other, unity of counsel, and a common policy upon the Irish question, with mutual forbearance upon all others, so that their efforts may be unanimously directed towards the common objects of their universal wishes after a common preconcerted plan. Thus will their force become irresistible, guided by one will and one purpose, in one undeviating system of action, and thus will they give shape and life, direction and movement to that love of Ireland, and that hatred of her oppressors, which are the predominant passions of every true Irish heart."

The well-trained Irish-American soldiers were besought to rally round the Organization, and the men in Ireland exhorted to stand by it to the last extremity, nor flee from it to foreign countries. The Irish people were declared to constitute one of the distinct nationalities of the earth. The Irish Republic was acknowledged as virtually established, with James Stephens as its Chief Executive: sympathy with the Poles was expressed and a resolution passed expressing—

"Reverential gratitude and filial respect towards his Holiness Pope Pius the Ninth, for his paternal solicitude in the cause of suffering Poland, up in arms for her liberty, and for the anxious care with which he offers up to Heaven his ardent aspirations for her success, and recommends her brave sons, battling for 'right against might,' to the prayers and support of the Catholic world,"

The direction of the Organization was vested in a Head Centre, elected annually by a General Congress, State Centres, to direct State Organizations, Centres,

to direct Circles, and sub-Centres, for sub-Circles. The Head Centre to be assisted by a Central Council of five, a Central Treasurer, Assistant Treasurer, nominated by him and elected by Congress, and Corresponding and Recording Secretaries.

"In order," said Mr. O'Mahony, "that the Fenian Brotherhood be in reality what your legislation has made it this day—a thoroughly democratic, self-governing institution—it still remains for me to divest myself of the almost absolute authority which, with your assent, I have held for nearly five years, and by so doing to place the government and direction of the Fenian Brotherhood in the guardianship of this General Convention."

The resignation of John O'Mahony was accepted; and he was immediately, on motion of Mr. Gibbons, of Pennsylvania, unanimously elected Head Centre, under the new Constitution. An address to Ireland was issued by this Congress, and messages of fraternity and encouragement received, among others, from General T. F. Meagher, General M. Corcoran, and Colonel Matthew Murphy, of the Irish Legion.

The transactions of this Congress added great vitality to the Fenian cause. The second National Congress assembled in Cincinnati, Ohio, on the 17th of January, 1865. In the interim the sixty-three branches had grown to be three hundred, while the financial receipts exceeded those of the whole seven years since the Brotherhood had been established.

In addition to this success, Mr. O'Mahony said: "It

is no idle boast to say that the English Government has been influenced in no small degree by the actions of the Fenians here and at home, in abstaining thus long from openly aiding in the dismemberment of our union. Thus, perhaps fortunately for our cause, while working for the liberation of Ireland, we are also serving the best interests of America."

Among the important subjects brought before the Second Congress, was a lengthy report by Mr. Philip Coyne, of Missouri, Central Envoy to Ireland, of his examination and inspection of revolutionary affairs in Ireland. He reported the masses of the people as desirous for revolution, and that the middle class, though hesitating to pass into a career of trial and labor, would in the extremity of a revolutionary outbreak, act boldly with the patriots. The national journal, *The Irish People*, was recommended for sustenance, for the courage and ability it displayed; and the mode of organization of the I. R. B. was declared to be as nearly perfect as possible, being so arranged as to defy the strongest power or finest subtlety to penetrate it.

On the recommendation of the Head Centre, the Constitution was amended so that the Central Council was enlarged to ten members, with a President chosen by and from themselves. He was to act on occasions for the Head Centre; and the powers of the Council

were materially extended. O'Mahony was unanimously re-elected.

Meanwhile so great a flame could not exist in America without some smoke becoming visible in Ireland. The newspaper reports of the progress of Fenianism in America were regarded as astounding developments, and being reprinted in England and Ireland, excited the anxiety, and enlisted all the resources of the Irish Government to watch and explode the counterpart Revolutionary Brotherhood, on that side of the Atlantic. But the Irish Brotherhood was manipulated with exceeding skill and foresight, and baffled the keenest scent of the authorities, while it spread widely among the people. James Stephens, one of the youthful participators in the '48 rising, had undertaken the organization of Ireland. Certain envoys having been sent to Ireland, from New York, for the purpose of seeing upon what basis a new revolutionary organization could be started in that country, carried letters from O'Mahony to Stephens, who had returned from France. In the early part of 1858, one of these envoys, Mr. Joseph Deniffe, returned to America with a written document from Stephens, showing already a formidable basis for action, and engaging, if he were sustained with certain funds, to greatly increase the number by harvest time. The Directory of '48 was appealed to in vain by

Meagher; who, if he did not actively enter into the movement afterwards, would never wilfully hinder any measure undertaken for Irish liberty. The money, although not amounting to more than two thousand dollars, was raised with difficulty. With the first installment of it, Deniffe was sent back, also carrying with him a Commission for Stephens as Chief Director, signed by Doheny, O'Mahony, and others.

Having enrolled some thirty-five thousand men, Stephens came to America in the fall of 1858, to report progress, and solicit more generous subsidies than he had received from America. At a meeting of the friends of Ireland at Tammany Hall, New York, the collection of a fund was inaugurated; and at the request of Stephens, O'Mahony was created Head-Centre. The arrest in Ireland at this time of the members of the "Phoenix Society," which showed that some active disloyalty existed there, gave the cause here a much needed impetus, and aided the purposes of Stephens' visit. Attention had been directed to him on the Phoenix trials; and for a couple of years following, during which time he was in France, the revolutionary party did not seem to make much progress in Ireland. This partly arose from the fact that remittances from America were not of that character to keep it in working order. In December, 1860, Mr. O'Mahony went to Ireland himself, to be personally satisfied

on the state of affairs. The most important districts were inspected, and a meeting of certain leaders held in Dublin, at which definite plans were laid down. Stephens returned to Ireland and O'Mahony to America, and the organizations on both sides of the ocean progressed with powerfully effective strides. That Stephens was successful to a degree without parallel in Ireland for half a century, cannot be questioned. With special qualifications as an organizer, he traveled throughout the island under various names and in many disguises, making the personal acquaintance of the people, and was to them for some years an object of wonder, almost of worship. That O'Mahony had also done wonders in organizing the Brotherhood in America and Canada, was attested by the thankful Congress of Chicago, which passed resolutions recording his wisdom, genius, eminent purity and heroic virtues, during the five trying years through which the organization had struggled.

The mystery which baffled the Government in Ireland, and the might which the auxiliary Fenian Society of America represented, combined to bewilder and exasperate the authorities. At the close of the Civil War many officers of the Irish Brigade, Irish Legion, and other Irish-American commands, which had seen much service, found their way into Ireland. Of these not a few regarded their preservation in the

great conflicts of the war, as a providential sign that they were destined to lead their countrymen to victory on their native soil. Young men were found drilling, books of drill-instruction were also discovered in suspicious places, and a variety of incidents added to the growing excitement. It was suddenly discovered that the Irish Government was sitting on a mine, that not only Cork and Dublin, and Tipperary, were hot-beds of disloyalty, but that disaffection was rife among the soldiery, and that the conspiracy had extensive ramifications in Liverpool, Manchester, Glasgow, and other manufacturing localities over the channel. A reward of £200 was offered for the capture of Stephens, all the transatlantic steamers were boarded and searched for Irish-American-looking persons; and on the evening of the 15th of September, 1865, the *Irish People* was seized, and several arrests made, including Thomas Clarke Luby, J. O'Donovan (Rossa), and John O'Leary, the chief conductors of that journal. Numerous arrests in Dublin, Cork and other localities followed, and a state of feeling, recalling the feverish days of '48, but on a much larger scale, was visible throughout the island. Several soldiers were arrested, and the Sergeant-Major of a regiment in Cork, acknowledged his signature to a Fenian roll-book which had been captured. This suggested imminent insecurity, and caused a run on the Cork banks.

Bills of Exchange from the Fenian Treasury in New York to the Irish leaders, amounting to no less than £3,000 were intercepted, and arrests of many important local centres continued to be effected.

This intelligence awoke widely-extended sympathy in America; and after sitting for some days in New York, the Central Council of the Fenian Brotherhood issued a call for a Congress to be held in Philadelphia, on the 16th of October. The deliberations of this assembly were looked to with anxious anticipation. It was very largely attended, and the enthusiasm which had already existed was greatly intensified by the arrival on the 19th, direct from Ireland, of Mr. P. J. Meehan, who had visited it as the accredited envoy of the Brotherhood. His report, which exhibited the accomplishment of a magnificent work, the organization as powerful, the management masterly, and the position solid, was received with exciting demonstrations. The most important measure of the Congress, however, was one changing the Constitution and officers, and drawing not a little ridicule on the organization. The new Constitution created a President, and Secretaries of the Treasury, Military, Naval and Civil Affairs, a Senate, the President of which would be Vice-President of the Brotherhood, a House of Delegates, and all the governmental paraphernalia, in name, of a distinct republic; within the American Republic. Other

important and depreciating changes were made; and in a very brief period thereafter the vital differences introduced into the Constitution were augmented by differences between the "President" and the "Senate," which extending, created a disastrous dismemberment of the body of the organization. In a personal way the differences bred distemper, distemper vilification, vilification subterfuge, and subterfuge found sustainment in dishonor, and culminated in hatred. The American public was disgusted, the Irish cause disgraced by the charges and counter-charges which the interested parties too readily rushed into print. The record of these painful conflicts would occupy volumes: I feel humiliated to have to refer to them in a paragraph. It is only necessary here to add that John O'Mahony had been declared the unanimous choice of Senate and Delegates, for President, and was elected; and that the seceding party, among whom were twelve of the fifteen newly-created Senators, chose William R. Roberts, President of the Senate, as their Chief. The distinctive policy of the circles which followed the latter, developed into an armed expedition into Canada, which was attractive to a large class as offering more immediate excitement. Thus the powerful Fenian organization of America, became divided into what will be known as The Irish Party, and The Canadian Party. Under these exigences, the

former held a Fourth National Congress, in New York, January 2, 1866. Over four hundred delegates, the largest representation of Fenians that had ever met, assembled, from Australia, the Pacific shores, British Columbia, Canada, and all portions of the United States. The old Constitution was restored, the Senate abolished, the history of the differences reviewed, an address issued, and O'Mahony re-invested with the old office of Head Centre. The proceedings of this Congress were accepted by a Military Convention, which assembled in New York, on the 22d of February, the anniversary of Washington's birth-day, and issued a spirited address signed by eighty-five officers and forty sergeants, nearly every one of whom had seen service.

In the meantime there was no diminution of the excitement in Ireland; and if anything would have united the discordant elements in America, a contemplation of the state of affairs there should have done it. The arrest of Stephens in Ireland was a great triumph for the authorities; but his defiant course when brought before the magistrates, and his subsequent wonderful escape from jail, soon turned the tables, and gave the victory to Fenianism and the people. Notwithstanding that the Irish Attorney-General, at the close of the Special Commission, which tried the Fenian prisoners, boasted that "every single individual connect-

ed with the *Irish People*," and every one of mark, indicated in the captured correspondence of Stephens and others, had been, with one or two exceptions, arrested and convicted;* still in the middle of February, 1866, the suspension of the *Habeas Corpus* was deemed necessary to control the wild current of conspiracy which the Government could not otherwise stay.

The debate on this measure, which took place on the 17th February, was rather brilliant, and as it bears directly on the state of Ireland, some facts elicited in it very fitly fall into a brief narrative of the times. In proposing and advocating the bill, Sir George Grey, the Home Secretary, traced the history of Fenianism, from his stand-point, up to the close of the American War, when it took a more threatening aspect. In the papers and proclamations captured, he saw that the desire of the Fenians was the disruption of the connection with England. The capture and conviction of so many of the leaders had not produced any good result.

"For a time," said he, "the Government indulged in that hope, but with the escape of Stephens, which seemed to give them renewed energy, the activity of the conspirators increased. Shortly after these arrests, bills from America, to the amount of

* Up to the introduction of the bill for the suspension of the *Habeas Corpus*, thirty six had been tried, convicted, and sentenced to various terms of penal servitude.

no less than £3,000, addressed to the leaders of the conspiracy who were then in custody, were intercepted by the Government. The *Irish People* newspaper, which had been suppressed in Dublin, was ostentatiously republished in America, and sent to Ireland for circulation about the country. Of course, wherever that paper has been found containing treasonable articles, it has been seized by order of the Government, and any person found circulating it is subject, no doubt, to a prosecution; but if this paper is brought over, and privately circulated by the agents, who are constantly coming from America, it is impossible for the Government, under the existing power of the law, to prevent it."

The Secretary justified the suspension, on the demands made by Lord Wodehouse, the Viceroy of Ireland, whose letters were full of most significant testimony to the power of the Fenian Brotherhood. Writing on the 21st January, 1866, Lord Wodehouse says:

"I hope that the presence of troops in some of the towns may perhaps allay the general alarm. I am, however, by no means confident on this point, and I wish to call the serious attention of the Government to the state of affairs here, which I regret to say becomes daily more unsatisfactory. When the *People* was seized and the arrests made, the Fenians were for a while stunned by the blow, especially by the arrest of Stephens, but after Stephens' escape their spirits greatly revived, and their activity was renewed. At the present moment, notwithstanding the perfect success of the Crown at the trials, they are more active than ever. I waited patiently to see would the alarm in the country subside, but the alarm has gone on continually increasing. I am now disposed to try what effect can be produced by proclamations, and by detaching troops to the more remote districts. With this view, we are about to send troops to Trillick and Sligo, and to proclaim the counties of Sligo and Carlow, in accordance with the strongly expressed wishes of the magistrates. Other proclamations will probably be-

come necessary hereafter. But I do not expect that these measures will be sufficient; and in common with Mr. Fortescue and the Attorney-General, I have come to the conclusion that we may have to propose to the Cabinet to ask Parliament to suspend the *Habeas Corpus* Act. What we have to deal with is a secret revolutionary organization spread over a great part of the country, supported by money from the Irish in America and Great Britain. This organization has its paid agents in most of the towns in Ireland, diligently propagating rebellion and swearing in recruits. I send you a return of men who served in the American war, who are known to the Constabulary as Fenian agents. There are, no doubt, others who escape notice. I have asked for a similar return from the rest of Ireland. These are the men who would take command of the rebels, and there cannot be a more dangerous class. Besides them, we know that there are some hundreds of men in Dublin and elsewhere who have come over from England and Scotland, who receive regular pay, and are waiting for the signal of an outbreak. Now, we see no remedy for this but to suspend the *Habeas Corpus* Act. We should be able to arrest the paid agents of revolution, and to prevent the assemblage in the capital of men sent over specially to take part in a rising. The remedy may appear sharp, but the disease is very serious, and I am convinced will yield to nothing but sharp treatment. Without saying that the moment has actually arrived for so strong a measure as the suspension of the *Habeas Corpus* Act, I have thought it right to warn the Cabinet that, in my judgment, that moment is not far distant."

He says they have arrested various agents from America, but they are "too wary to carry about with them the evidence necessary to convict them." They usually had "drill-books" and money. On the 4th of February, his Excellency has little hope of pacifying the alarm; on the 9th, he is in better spirits, looking forward to "the suppression of the conspiracy,

by the means at his disposal," by "a judicious disposal of the troops at his command;" but, on the 14th, he finds he has not power enough to do it, and that the only safety of the English interest in Ireland depends on the suspension of the *Habeas Corpus*. Nothing would save it but "prompt, immediate action." "The state of affairs," he writes, "is very serious. The conspirators, undeterred by the punishment of so many of their leaders, are actively organizing an outbreak, with a view to destroy the Queen's authority." Sir Hugh Rose had detailed to his Excellency various plans of action he had discovered, and also that the American agents were getting plans of detached forts and barracks.

"And he draws no exaggerated picture. There are scattered over the country a number of agents, who are swearing in members, and who are prepared to take the command when the moment arrives. These men are of the most dangerous class. They are Irishmen imbued with American notions, thoroughly reckless, and possessed of considerable military experience, acquired on a field of warfare, (the civil war in America,) admirably adapted to train them for conducting an insurrection here. There are 340 such men known to the police in the provinces, and those known in Dublin amount to about 160, so that in round numbers there are 500—of course there are many more who escape notice. This number is being augmented by fresh men constantly arriving from America. In Dublin itself there are several hundred men (perhaps about 300 or 400) who have come over from England and Scotland, who receive 1s. 6d. a day, and are waiting for the time of action. Any one may observe these men loitering about at the corners of the streets. (Hear, hear.) As to arms we have

found no less than three regular manufactories of pikes, bullets and cartridges in Dublin. The police believe that several more exist. Of course, bullets are not made unless they had rifles to put them in. The disaffection of the population in certain counties such as Cork, Tipperary, Waterford, Dublin, is alarming, and it is day by day spreading more and more through every part of the country. But the most dangerous feature in the present movement is the attempt to seduce the troops. Are we to allow these agents to go on instilling their poison into our armed force, upon which our security mainly depends?"

Mr. John Bright would not oppose the bill, but threw the responsibility of its necessity on the evil and unwise legislation of England for Ireland. He did not believe the Secretary overstated the case. On the contrary, he believed that if the majority of the people of Ireland had their will, and could do it, they would remove their island two thousand miles west of England; that they would, if they could, by conspiracy, insurrection, or constitutional agitation, shake off English domination to-morrow.

"After centuries of English government, after 60 years of government by the Imperial Parliament, we find this people of Ireland engaged in a conspiracy to overthrow the authority of the Crown of Great Britain, and to forcibly separate their country from its connection with England. We are not now discussing a rare and singular occurrence in the history of Ireland. Fenianism is only an aggravated outbreak of an old disorder, for within the memory of the oldest man in this House, Ireland has not been free from chronic disaffection. * * * * Sixty years ago this House undertook to govern Ireland. I will say nothing of the circumstances under which the union of the two countries took place, save that they were disgraceful and corrupt to the last de-

gree. I will say nothing of the manner in which the promises made to the Irish people were broken."

During this period, in his opinion, but three acts of Irish relief were passed, while

"Complaints of their sufferings have been met often by denial, often by insult, and often by contempt (hear); and within the last few years we have heard from this very Treasury Bench observations with regard to Ireland which no friend of Ireland, or of England, and no Minister of the Crown ought ever to have uttered, with regard to that country. (Cheers.) Twice in my Parliamentary life these things have been done—at least by the close of this day they will have been done—that measures of repression, measures of suspension of the civil rights of the people, have been brought into Parliament, and passed with extreme and unusual rapidity. * * * If I go back to the Ministers who have sat on these benches since I have been in the House—Sir Robert Peel first, then Lord John Russell, then Lord Derby, then Lord Aberdeen, then Lord Palmerston, then Lord Derby again, and now Earl Russell—they did not all sit here, and I speak, of course, of their governments, I say with regard to all these men, the dead and the living, there has not been an approach to anything that history will describe as statesmanship in this matter. (Hear, hear.) Coercion Bills in abundance, Arms Bills Session after Session—lamentations like that of the right hon. gentleman, the member for Buckinghamshire to-day, that the suspension of the *Habeas Corpus* Act to a certain extent was not made perpetual by a clause which he regrets was repealed—Acts for the suspension of the *Habeas Corpus* Act, like that which we are now discussing—all these there have been; but there has been no statesmanship. (Hear, hear.) Why, men the most clumsy and the most brutal can do these things; but it wants men of higher temper, of higher genius, and I will even add of higher patriotism to deal with the affairs of Ireland."

Recurring to the strong terms in which the Secretary referred to the "unhappy fact" that much of the

disaffection in Ireland was sent from the United States, Mr. Bright could take no consolation from it. It only added difficulty and gravity to the question; for if the Irish have settled in America with so strong an hostility to England, "they have had their reasons;" and if, with the feeling of affection for their native country, which in all other cases they "admired and revered," the American Irish stirred up the sedition which existed, "depend upon it there is in the condition of Ireland a state of things which greatly favors their attempts." After rating the ministers for lack of statesmanship, in fighting for office, and not considering either their duty to the people or the sovereign, he said:

"It is not in human nature—all history teaches this—that men should be content under a system of legislation and of institutions such as exists in Ireland. You may pass this Bill—you may put the Home Secretary's 500 men in gaol, you may suppress conspiracy and put down insurrection, but the moment they are suppressed there will still remain the germs of the malady, and from those germs will grow up, as heretofore, another crop of disaffection, another harvest of misfortunes. (Hear, hear.) And those members of this House—younger it may be than I am—who may be here 18 years hence, may find another Ministry and another Secretary of State proposing to them another administration of the same ever-failing and poisonous medicine."

Although the key-note of Bright's speech was how by good government to make the Irish as loyal as the Scotch and English, yet Mr. Roebuck characterized it

as meant for mere mischief, as "Irishmen had no grievances to complain of." Mr. Horsman thought Bright's speech "valuable only to the Fenian conspiracy." Mr. Stuart Mill did not blame her Majesty's ministers for the present state of affairs, as they could not be responsible "for the misdeeds and neglect of centuries," but he agreed with Bright that the Bill was cause of shame and humiliation to England. The question then fell into the hands of the Irish members. Mr. John B. Dillon thought that Fenianism was exaggerated, because he was able to defeat its influence at the last general election, but he perfectly well knew on the other hand that whatever power the organization possessed, was derived from the general dissatisfaction of the Irish people, arising out of years of misgovernment. This conviction justified him in opposing the measure introduced by the Government. He briefly replied to Roebuck's sneer that Ireland had no grievance. They excused the necessity of doing justice to Ireland by publishing for years that she was in profound repose and contentment: and when she is not contented, but seditious, they also use *that* as a reason to withhold beneficial legislation. Dillon, for one, could not aid them in any effort to quell that discontent which, he believed, was caused by a denial of justice. In his opinion, discontent and disaffection were not unmixed evils, as he believed that

but for discontent in England, there would have been no Reform Bill, and unless Mr. Bright had exerted himself to excite discontent the probability was that we should still have been suffering under the burden of the corn laws.

A Mr. Conolly, believed Ireland was galvanized into rebellion by America, and also that concessions would not lessen the prevailing insubordination. Sir John Gray regarded Bright's speech as calculated to do mischief. He did not want to hear Fenian speeches in the House; and declared the purposes of the Fenians to be the taking of life and property. The O'Donoghue, though not a Fenian, came to their defence and covered Gray with confusion.

"He was convinced, that robbery and murder were not the motives of the organizers of the movement. He attached no weight to that allegation, because he knew that similar charges had been made against all those who at any time had endeavored to bring about a national movement in Ireland. They were made against O'Connell (hear, hear, from Mr. Bright), and they were made—if he might be allowed to say so—against the hon. member for Kilkenny (Sir J. Gray), when he was a distinguished inmate of Richmond Bridewell. (Much laughter.) Statements of that kind were no doubt useful in throwing discredit on the movement, but he maintained that when those statements were without foundation it was discreditable to use them." (Hear, hear.)

Coercion was not what Ireland required. The O'Donoghue believed it would create a panic and intensify disaffection. He had read in the leading jour-

nal that the notice of the bill was received with cheers. These came, he said, "from the representatives or deluders of the small Orange party of Ulster, who looked upon it that the greatest blessing the Government could bestow on Ireland would be to suspend the Constitution, not for six months, but for ever." Out of a House of three hundred and seventy members, but six voted against leave to bring in the Bill. Hence it was brought in and put through all its stages within twelve hours. With similar speed it went through the Lords the same day; the Earl of Derby taking occasion to say he could not admit "that the Fenian conspiracy was entirely due to the closing of the American war, because he knew that in 1859, the Phoenix conspiracy prevailed in Ireland, and had numerous branches in America." The celerity of English legislation, in this instance, in bringing aid to the English interest in Ireland was almost without parallel.*

All of which was an acknowledgment to the world, as plain as words and actions could make it, that the perennial protestations of England to the effect that Ireland was profoundly happy, contented and improving, was a wanton and heartless fabrication to shield

* But two cases of similar promptitude occur in the history of English legislation: one when a bill was passed to aid recruiting of land forces when George II announced to Parliament that he had declared war against France, April 3, 1744; and the other on the 9th of May, 1797, to meet the grievances of the sailors of the Royal Navy, which culminated in the "Mutiny of the *Nore*."

her continued mis-government of that country. This preaching of Irish prosperity when there is dearth, of contentment when there is discontent, of improvement when there is impoverishment, is a very old subterfuge. Swift strove to combat it. In his day the courtier who wished to be successful, kept the Irish question out of sight, by misrepresenting the state of the country, and alleging it was "in a flourishing condition, the rent and purchase of land every day increasing." "If," says Swift, in 1727, "a gentleman happens to be a little more sincere in his representation, besides being looked on as not well-affected, he is sure to have a dozen contradictors at his elbow."

In Swift's statement, Mr. Bright could find another illustration of his charge on the wilful apathy of English ministers toward Irish rights, for the case is exactly the same to-day as when the Dean of St. Patrick's wrote his able but short view of the state of Ireland.

CHAPTER III.

THE INSURRECTION IN IRELAND—AMERICAN SYMPATHY.

Effect of the Suspension of the *Habeas Corpus*—The News in America—Arrival of Stephens in New York—O'Mahony retires—Invasion of Canada—The Canadian Party disrupt Stephens' Plans—His Mission a Failure—Rising in Kerry—Searching vessels for Fenians—General Insurrectionary Movements in Ireland—Proclamation of Provisional Government—Riots among the Soldiers—Massey betrays the Movement—Irish Party in America—Fifth Congress in New York—Great Meeting in Union Square—Letter from Mayor Hoffman—Negotiations for Union—The Cause in U. S. Congress—Resolutions of Sympathy reported by Gen. Banks—Speeches and Vote on it—The Queen declares Ireland Tranquil and the People Loyal—Contradicted by Mr. Monsell and Mr. Bright—Remarkable Speech of Mr. Monsell—Bright declares that Ireland should not be Tranquil—Sixth National Congress held in New York—Mr. Savage elected Chief Executive—Remarks.

THE suspension of the *Habeas Corpus* gave the sought-for scope to the English authorities in Ireland. Arrests were made on every side, and prisoners were counted by hundreds. The secret movements of Stephens were continuous sources of excitability, and a Fenian riot in Bradford, Yorkshire, at which the Irish Republic was cheered, and the police severely handled, was not calculated to raise public confidence.

In America, the news begat renewed activity all over the country. Mass meetings in the open air and in the principal public halls were held in New York,

Washington, Philadelphia, Brooklyn, Boston, Baltimore, Savannah, Mobile, and many other cities and towns, and a general clamor for action came from all points to the headquarters in New York. The Irish party and the Canadian party still continued to widen the breach between them, and while the latter was preparing to move on Canada, the former made a futile attempt to occupy Campo Bello as a military depot. Soon after this event Mr. Stephens arrived in New York amid great *eclat*, and O'Mahony withdrew to give his coadjutor a chance to adjust differences. It was thought that Mr. Roberts would yield the control of the Canadian party, as O'Mahony had retired from that of the Irish party, and thus open the way for a union of both under the lead of Stephens. This hope, however, was without foundation; and the former making a move on Canada, and engaging the Canadian troops at Ridgeway, attracted universal attention. Thus becoming the "party of action" for the moment, the Canadian party greatly distracted the Fenian element, and effectually interfered with Stephens' purpose in America.

To counteract the effect of the raid across the St. Lawrence, as well as to keep pace with a demand for action which he had cultivated in the public mind, Stephens made promises, which he was not able to perform. He promised to effect a rising in Ireland,

by a stated time, and when that time arrived, relieved himself by another promise. He deemed this politic, and had the example of perhaps the greatest modern politician, O'Connell, for such a course; but it is to be hoped that the race which a quarter of a century ago periodically cheered the announcement that Repeal would be attained "in six months" is extinct. The mission of Stephens to America was a failure; he finally declined moving in Ireland, and retired into privacy in Paris. His military friends sought to force him to redeem his promises at any and every risk; and failing in this, took it upon themselves to make the attempt.

On the faith of the promises of a rising, numbers of veteran officers had gone to their different posts in Ireland and England, at the close of 1866 and the beginning of 1867. These were now joined by the military staff of the ex-chief, and the determination of these men to strike a blow was soon illustrated. A Fenian demonstration at the English city of Chester, on the 11th February, produced a tremendous panic in England; but the intentions of the revolutionists were frustrated by Corydon, the informer, who was in the pay of the English authorities from the September previous. Within a couple of days a revolt took place in Kerry, under Colonel John J. O'Connor, and the locality became the scene of great excitement, which

extended to Cork and Limerick. Military dispositions were speedily effected under one of the "Indian heroes;" but O'Connor, a young veteran of the Irish Brigade, out-manœuvred him, retreated with his band to the mountains, and completely baffled the troops. On the 15th, the Government stated to Parliament that "Colonel Horsford's force was altogether too small to follow the armed band of Fenians into Toomie's Wood."

The rising in Ireland was to have been simultaneous, but discovering that the plan for the capture of Chester Castle, and the troops in it, had been betrayed; and concluding, of course, that the Government was prepared at all points, the leaders sent messengers countermanding the revolt. Owing to his remote position, the order failed to reach Colonel O'Connor in time to prevent his action, which thus had the appearance of an isolated movement. In a few days the "outbreak at Killarney" was declared "at an end" by the Indian hero, who thought, probably, that *he* had ended it: and in a week telegrams everywhere conveyed the blissful news, "Ireland is perfectly tranquil." While the telegraph was busy making news of Ireland's tranquillity, the authorities were pursuing another mode of achieving that end, and of contradicting it at the same time. Every vessel arriving at an Irish port was searched by men armed with cutlasses, and expert in

the science of physiognomy. Any one looking like a rebel was instantly seized, pinioned, and thrown into prison. A couple of days' work will illustrate how tranquil the Government believed Ireland to be.

"On the arrival of the *Alexandra*, thirty-one were seized aboard of her, thirty-six on board the *Columbia* a few minutes after. Next day forty more were added to the number on their arrival by the *Hibernia* and *Trafalgar*, and subsequently the same afternoon twenty-eight more. On Thursday twelve were added to the roll, and several in Drogheda and elsewhere, as they thought to land in the soil of their birth and their fathers."

The tranquility, however, did not last long, even on paper. "Ireland again in rebellion" was the startling news which in detail explained how a simultaneous revolt had taken place in various parts of the island on the 5th of March. The previous announcements gave the intelligence a thrilling effect, and the public mind was wrought to a state of bewildering fermentation by the confirmation of reports showing that an evidently well-designed plan of insurrection had developed itself in three provinces of the kingdom. The leaders controlling the movement promulgated this proclamation simultaneously in Ireland and America:

PROCLAMATION.

After seven centuries of outrage and misery unequalled in the history of humanity; after having seen our laws, our rights, our liberty trodden under foot by the foreigner; our lands pass from the Irish farmer to the Irish or foreign usurper, and the rightful owners of hundreds of years supplanted by cattle destined to sup-

ply the markets of England; after having seen our skilled workmen driven into exile, our men of thought and action to imprisonment and the scaffold; having no longer either lands to cultivate, laws or acknowledged rights to invoke; in a word, having nothing pertaining to man save the faculty of suffering or the determination to fight, we cheerfully choose this last resort.

All men have a right to liberty and happiness. Believing that there can be no durable liberty or happiness except upon the basis of free labor, and that there can be no free labor when the means of labor is not free; considering besides the first means of labor is the soil, and that the Irish soil, instead of being in the hands of the Irish working men, is held by a selfish and despotic oligarchy, we declare it to be our determination to repossess ourselves of that soil by force.

Considering that all men are born with equal natural rights, and that by associating themselves together to protect one another and share public burdens, justice demands that such association should rest upon an equitable basis—such as maintains equality instead of destroying it—we declare that we aim at founding a Republic based upon universal suffrage, securing to all the intrinsic value of their labor.

We declare that we wish absolute liberty of conscience, and the complete separation of Church and State.

The public expenses will be paid by a progressive capitation (labor being free from any impost.)

Calling upon God and mankind to witness the justice of our cause and the intensity of our sufferings, we declare in the face of the world, in order to succeed in reconquering the inalienable rights that all men receive at their birth, we take up arms to combat the dominant oligarchy; and as its strength dwells in its credit, based upon its property, we will employ to destroy it every means that science, or even despair, shall place within our reach. Wherever the English flag waves over English property it shall be torn down, if it be possible, without fear or truce; and we swear in the sacred name of our country, by the sufferings of those who now endure the tortures of living tombs for the cause, by the dear and revered names of those who have died for the freedom of Ire-

land, by our honor and that of our children that this war shall cease only when the Irish Republic shall be recognized, or when the last man of our race shall lie in his grave.

Republicans of the entire world, our cause is yours! Our enemy is your enemy. Let your hearts be with us. As for you workmen of England, it is not only your hearts that we wish, but your arms. Remember the starvation and degradation brought to your firesides by oppressed labor. Remember the past, look well to the future, and avenge yourselves by giving liberty to your children in the coming struggle for human freedom!

Herewith we proclaim the Irish Republic!

THE IRISH PEOPLE.

(Signed)

THE IRISH PROVISIONAL GOVERNMENT.

The first report of the insurrection was made by the attack on the barracks in Drogheda. The next was from Castle-Martyr, in Cork, distant two hundred miles; and these were rapidly followed up by armed displays and conflicts with the Government forces in the counties of Dublin, Limerick, Down, Clare, Wicklow, Waterford, Kildare, Kilkenny, Queen's County, and Tipperary. The wildest rumors agitated society. Nothing was talked of but attacks on barracks, conflicts with the military, midnight manœuvres, railroads broken up, telegraph wires torn down, Fenian arrests and "Greek fire." Fenianism in the army had created jealousies and bickerings, which found an occasional outlet in the form of a riot; and some of the soldiers who fell in the open conflicts with the Fenians, were

not all brought to the dust, it would seem, by the peasant jackets.*

Of the several "disturbances" which occurred, both in England and Ireland, among the soldiers, one is especially noteworthy—it being a "serious fight" which took place at Ballincollig Barracks, near Cork, "among the British soldiers stationed there to protect the extensive artillery depot and government powder-mills. The cause of the outbreak was of course Fenianism." The Irish soldiers, assisted by some companies of a Scotch regiment, attacked the English lancer regiment, which had disgraced itself by acts of brutality in Dun-garvan, and "the result was that several lives were

* The following remarkable letter was printed in the *London Morning Post*:
 "SIR,—A reprint of a letter which appeared in your journal a few days ago, on the above subject, has just come under my notice, having been copied into a Dublin newspaper. In reply, I would beg your permission to make a few remarks through the medium of your aristocratic, though apparently impartial, journal. The writer of the letter in question seems to have read a one-sided, and consequently false, account of the rising of the Brotherhood in defence of their liberty, when he says: 'Several of the interesting Fenian Brotherhood have been shot down in armed rebellion against their Sovereign. * * * I hope he (Lord Strathairn) will shoot many more, and hang and flog the remainder.' Allow me to inform the writer that for every one of our Brotherhood shot, six men of the British soldiers have fallen. Many of these, I know, were shot by their own comrades in skirmish—not accidentally, but because of their perfidy towards the cause of freedom, and their avowed determination to show the Fenians 'no quarter.' In a skirmish, in which I had temporary command, I saw no fewer than six of the 6th Carbineers unhorsed by one volley from our ranks. These were taken away in wagons, and nobody has since heard of them. I could cite many instances of a similar kind, if it were necessary. The fact is, sir, the British Government is most careful in keeping all these matters secret, for obvious reasons; but should you publish this letter, the Irish people, or at least such of them as belong to the I. R. army, or have made strict inquiries into the facts of the case, will fully corroborate my statements. I am, sir, your obedient servant, A SERGEANT-MAJOR OF THE 19TH REGIMENT, IRISH REPUBLICAN ARMY."

lost." All possible efforts were made to keep this secret; but it leaked out nevertheless, and next day, while the Scotch companies were marching through the city of Cork, they were loudly cheered by the people. This ovation, says the account, was received by the Scotchmen with very evident pleasure.

The infamous Corydon put the authorities on the track of Godfrey Massey, a sort of adjutant-general to Colonel Thomas J. Kelly, who had direction of affairs in America after the retirement of Stephens. Massey was arrested on the night of the 4th March, at Limerick junction, swooned, woke up in the Castle, and under the influences of a vindictive, cowardly nature, and his wife, betrayed the cause. The Government, in possession of sufficient information to shorten the life of the insurrection, lost no time in putting forth its every appliance for its suppression. The history of the Fenian revolt of '67, cannot now be detailed; but the world has already acknowledged the courage, dignity and devotion brought to its service by such heroic spirits as Peter O'Neill Crowley, Thomas Francis Bourke, and their comrades—some dead, like the former, and others, like the latter, reprieved from the scaffold to suffer a living death in perpetual imprisonment.

The Irish party in America labored earnestly, untiringly, and to a comparative degree, effectively, to

sustain the patriots in Ireland. The history of the Brotherhood in America, if ever written, will disclose as noble labors and sacrifices, made by men in so-called "humble life," to keep the organization in healthy existence, as ever refreshed the hopes of a struggling people. Immediately after the rising in Kerry, a National Convention (the fifth) was called, and assembled in New York on the 27th February. Affairs were in a great state of disarrangement, consequent on the feelings produced by Mr. Stephens' action. These were adjusted, Mr. Anthony A. Griffin was elected Executive, and measures taken to carry out a beneficial plan of operations in aid of Irish Freedom. These were at once inaugurated, and the cable intelligence of the simultaneous risings of the 5th March already found the Directory at work. On the 10th, an appeal was issued by the Executive imploring harmony among all parties, in view of the fact that England was willing to spend millions of money and sacrifice thousands of lives to subjugate or extirpate our race.

A great open-air mass meeting was held on the evening of March 13th, in Union Square, which, notwithstanding the extreme inclemency of the weather—a chill rain constantly falling—was attended by over fifteen thousand persons, who were addressed from three stands. Among the letters of sympathy received, was one from the Honorable the Mayor of the city

of New York, which has more than temporary interest. It reads as follows:

GENTLEMEN: I have received this day your invitation to attend a mass meeting to aid the Irish Revolutionists, now battling for liberty, to be held at Union Square, on to-morrow evening, at half-past seven o'clock.

I am aware that it is somewhat the custom of public men to approach the Fenian movement with a delicate regard for our neutrality obligations, and of the duties enjoined by the laws of nations. Apart from my sympathy for the cause of Ireland, I may be pardoned if I do not individually entertain any high estimate of Great Britain's claims on us to keep peace within her dominions. When we were struggling for national existence, and the cause of Republican Government was on its great, perhaps, final trial, England gave aid and comfort, the violation of every principle of neutrality, on the side which it believed would work the destruction of our free institutions. Her people gave sympathy, money, ships and men, and munitions of war, to be used against us.

I do not counsel, nor will I countenance, any violation of the laws of our country; but I do not stand alone in the community in feeling no very keen sense of our national obligation to England, and an indisposition to go out of my way to seek safeguards for her protection.

At all events, I feel no restraint in expressing, as an American citizen, my most ardent sympathy in the struggle which is now taking place in Ireland, and my hope in its ultimate success.

In the earlier days of the Republic, our Government did not stand on ceremony in expressing its sentiments in behalf of struggling nations emerging into freedom. More than forty years ago, when Greece was battling against the domination of the Turk, President Monroe did not hesitate to make their cause a subject of a message to Congress, and to express the "strong hope long entertained, founded on the heroic struggle of the Greeks, that they would succeed in the contest, and reassume their equal station among the nations of the earth;" and later, the Congress of the United States

did not hesitate to express its sympathy for the fallen fortunes of the Revolutionists of Hungary, and to tender an asylum in this country to Kossuth and his gallant followers.

Should we hesitate to send words of cheer and encouragement, and more substantial aid to the men who are now fighting for the redemption of their native land, because the land is not Hungary, or Poland, or Greece, but Ireland, and the oppressor is not Austria, Russia or Turkey, but England?

To my mind, the ultimate success of the people of Ireland in establishing their rights is a certainty. It is impossible that a nation of men of courage and capacity, firmly united in the determination to be free, can long be held in the chains of servile subjection. Ireland demands the restitution of its ancient right of self-government; that it shall no longer be under the yoke of a power alien in religion, in feeling, in interests; it demands freedom, equality, and the rights which belong to manhood.

If our Government proves anything, it proves that these demands are just and right, and our history certainly indicates the validity of revolution. But it should be borne in mind that revolutions which do not turn backward are successful revolutions. Unsuccessful revolutions rivet the chains of despotism, and give a longer day to the oppressor. I know not what may be the means of the men in Ireland, or whether this is the fitting opportunity to strike the blow. To give the onward word of command in such a crisis of destiny to a people, involves the gravest responsibility.

Let us hope that they who are charged with the responsibility, have acted wisely and well, and unite in earnest prayer for an early, successful and happy solution of the troubles of a long-suffering people.

Regretting that the brief time allotted prevents a more elaborate reply, I am, very respectfully,

JOHN T. HOFFMAN.

The resolutions adopted were of a clear and forcible character, pledging aid to the patriots, declaring it to be the duty of all lovers of free institutions to sustain those who strive to extend the blessings of self-govern-

ment to the natives of every land; and concluding by most earnestly calling "upon every section and class of our Irish-born fellow-citizens, to lay aside all partisan strife and personal animosities at this momentous crisis of their country's fate, and to unite together, and rally as one man to the support of their brave countrymen, now battling for their National Independence."

Negotiations were undertaken to effect a union with the leaders of the Canadian party at this time, but without success; and the Irish party bent itself with redoubled zeal and energy to attract public sympathy and aid to the noble cause it represented. The subject of Irish liberty having been brought to the attention of the United States Congress, the Chairman of the Committee on Foreign Affairs of the House of Representatives, presented a resolution on the 27th of March, which though not as bold and broad as the services of the Irish, and the baseness of England to this republic during the war would warrant, is nevertheless of historical import, as putting on record a fact to which England will not lovingly refer. The resolution, moreover, received sufficient opposition to more emphatically distinguish the remarkable unanimity by which it was adopted. The interesting proceedings are thus condensed:

Mr. BANKS.—I am instructed by the Committee on Foreign Affairs to report the following resolution:

Resolved, That this House extend its sympathy to the people of Ireland and of Candia in all their just efforts to maintain the independence of States, to elevate the people, and to extend and perpetuate the principles of liberty.

Mr. BANKS.—I yield to the gentleman from New York (Mr. Robinson).

Mr. ROBINSON.—I do not intend at this time to make any lengthy remarks, and yet I desire to make some observations rather than let this resolution pass in silence. I presume I may say, without any disrespect to the chairman of the committee, or to the other members of the committee, or without referring to anything that may have occurred in the committee, that I should have preferred a much more decided expression of sympathy than this. But such as it is, I trust it will pass as the beginning of good things. Before this Congress expires I hope to have the privilege of introducing a resolution not only of sympathy, but acknowledging the belligerent rights and independence of Ireland. I throw this out in no spirit of bravado. I believe the independence of Ireland will come. I believe that the train of circumstances now in operation will bring about that result.

"Truth crushed to earth shall rise again."

Nor can England take any exception to our interfering in this matter. She has no more business with Ireland than we have. She has no right, title or claim whatever in that country except that which had its origin in fraud and force. She took possession of Ireland by force and fraud, and she has made that country through seven centuries of oppression a howling wilderness. She has inflicted wrongs upon that people which no other nation under the sun has suffered from another. In conversation with the Chaplain of the House to-day reference was made to the parable of the good Samaritan. Sir, I maintain that we have the same authority to interfere that the good Samaritan had, when he saw a stranger by the wayside, who had fallen among thieves, and lay beaten and bruised. There is hardly a government in Europe that does not interfere with the affairs of other countries. Emperors and kings are all the time making new maps of Europe, and running new

boundaries of kingdoms and empires. I may be asked what are Ireland's chances of success? Her chances for success are greater than any other people ever had who have achieved their independence. They are all rebels in Ireland. There is not to-day an honest Irishman upon the face of the earth who is not a rebel against British rule in Ireland.

The sympathies of all the world are with Ireland, while England has the sympathy of no human being except its office-holders and garrisons. It is something to have the sympathy of mankind with you against your oppressors. Now, we are told that Ireland cannot govern herself. That statement is not true; Ireland can govern herself. Irish intellect to-day governs the world; Irish intellect is good enough to govern England. Even the poorer sort of Irishmen, like the late Duke of Wellington, proves good enough for that business. Irish intellect to-day is uppermost in all the transactions of England. She rules in her Parliament; she directs her press; she commands her armies; she fights her battles. Why may she not do so herself? Ireland to-day has more disciplined men than any nation in the world, men who have learned the use of arms, who have smelled gunpowder; they are all over the world, in every clime, in every land. Irish valor has bloomed into glory upon every battle-field of this and other countries. In these United States, upon this very floor, may be found Irishmen of the second generation, whose deeds I need not recount, as they are on everybody's lips, and are a part of the history of this country. Look through the history of the late war, and see how many of the generals, and, above all, of the private soldiers, were Irish by birth or blood.

To-day Ireland can raise the strongest army the world ever saw. Her sons have been disciplined in the British army, in the army of this country, and of every country in the world. She has more men now scattered throughout the world ready to come to her assistance than would, under equal advantages, conquer twenty Englands if they stood in her way. I know the great difficulty is in gaining the first success. But other countries have achieved their independence without the strength that is behind this movement, and some time, in God's own time, Ireland will be able to take that

first step in her forward movement, and then there will be no holding her back. The first step gained everything else is easy.

If there were no other reason for our interference in behalf of Ireland, we have it in the fact that to-day no American citizen is safe upon the soil of Great Britain or in Ireland. Instead of the name of an American citizen being, as it should be, a badge of honor, a guarantee of personal security; it is, in Great Britain to-day, treated with more indignity than that of the citizen or subject of any other country. Two or three days ago, I received the information from an American citizen, in Liverpool, that, without any evidence to justify even a suspicion that he was implicated in any crime against the Government of Great Britain, he was arrested and dragged to jail, where, without even the form of trial, he was stripped of his citizen's clothes, dressed in the garb of a convict, and set to work to scrub the floors of the prison. If this is the treatment received by American citizens from the present Government of Ireland, may we not be pardoned for sympathizing with a movement which promises better treatment to our citizens under better rulers.

MR. BANKS.—Mr. Speaker, I now yield to the gentleman from Missouri (Mr. Pile) three minutes.

MR. PILE here offered some verbal changes.

MR. BANKS.—Mr. Speaker, it is the principle of monarchical governments that once being States their continued existence as such must be recognized. That is the universal principle on which such governments are administered. We claim the same for republican governments. Ireland had once a government of her own. That government has been displaced by the English Government. If they are contending against the English rule, they are contending to maintain the principle of the independence of States, and thereby I cannot accept the modification proposed by the gentleman.

MR. WASHBURN, of Wisconsin.—I move the following amendment:

Resolved further, That in sympathizing with the people of Ireland, we deem it proper to declare that the present Fenian movement must prove entirely abortive in bringing relief to that country, and that any encouragement to that movement by resolution,

unaccompanied by force, can only result in involving the brave, enthusiastic, and patriotic Irishmen in difficulties from which their brethren are powerless to extricate them.

Mr. BANKS.—I hope that amendment will not be adopted. I demand the previous question.

The previous question was seconded, and the main question ordered.

Mr. BANKS.—I am entitled to an hour to close the debate. In reference to the amendment, I have only to say this: it was considered in committee, and it was not deemed advisable to present it to the House.

Mr. WOOD.—Mr. Speaker, the amendment is virtually a nullification of the resolution itself. The country well knows as the House knows that the present agitation in Ireland looks to the establishment of free government in that island, as the result of this same Fenian movement. We all know it is this Fenian movement that has effected military organization in Ireland, and that every rebel in arms in Ireland, and all the preparatory arrangements looking to the establishment of an independent government in Ireland, have been promoted, if not originally prompted, by this Fenian movement. It may be true that it will cost lives, aye of hundreds and thousands of men in the prosecution of the Fenian movement. All revolutions cost blood before they become successful. In our own revolutionary war oceans of blood were spilled before we were able to establish our independence of the mother country. Therefore, when we say by this resolution we sympathize with the people of Ireland, in their present struggle, we say well and properly, but when we succeed it by saying that we are against the Fenian movement, we nullify the resolution reported from the Committee on Foreign Affairs. I call for the yeas and nays on the amendment.

Mr. ELDRIDGE.—I ask the gentleman to yield to me for a moment?

Mr. BANKS.—Certainly, sir.

Mr. ELDRIDGE.—I hope the amendment submitted to the resolution reported from the Committee on Foreign Affairs, will not be adopted. I look upon it, as does the gentlemen from New York,

as an evasion or nullification of the original resolution. It seems to me that it is idle for us to express sympathy with the cause of Ireland and at the same time deprecate every measure which the people of Ireland take for their alleviation. It is worse than mockery to tell them in their degradation and suffering that we sympathize with them, and yet advise against every effort they make to throw off the oppression which weighs upon them. It is not for me to determine at the outset that the effort they are making through the Fenian organization may not result to their good. Ireland's nationality is a cause worthy of Irishmen. What shall be done to achieve it is for them to judge. Submission and inaction will certainly not save them. It may seem a desperate struggle, but who can say that the liberties of that brave and generous people are not worth all their efforts? Who of us can determine what may or may not be accomplished? If their cause be just, and our sympathies with them, in the name of God, in the name of liberty, let us not disparage any effort or discourage any enterprise which to them may be token success. Any blow which the oppressed may aim at the oppressor to regain his rights and liberty has my heart's best prayer for its success.

The yeas and nays were ordered.

The question was taken, and it was decided in the negative—yeas 10, nays 102; not voting, 52.*

* The following is the vote:

Yeas—Messrs. Blair, Broomall, Farnsworth, Finney, Morrell, Noell, Peters, Cadwalader C. Washburn, Thomas Williams, and Windom—10.

Nays—Messrs. Allison, Anderson, Archer, Delos R. Ashley, Baker, Baldwin, Banks, Barnes, Benton, Bingham, Boutwell, Boyer, Brooks, Buckland, Butler, Cane, Chanler, Churchill, Sidney Clarke, Coburn, Cook, Cornell, Cullom, Deussen, Donnelly, Driggs, Eckley, Ela, Eldridge, Ferriss, Ferry, Fields, Getz, Glossbrenner, Gravely, Griswold, Haight, Hamilton, Hill, Holman, Hooper, Hopkins, Asahel W. Hubbard, Chester D. Hubbard, Hulburt, Humphrey, Hunter, Ingersoll, Judd, Kerr, Ketcham, Kitchen, Koontz, Ladin, William Lawrence, Lincoln, Loan, Logan, Mallory, Marshall, Marvin, McCarthy, McClurg, Mercur, Miller, Moore, Morrissey, Mungen, Myers, Newcomb, Niblack, O'Neill, Orth, Perham, Pike, Plants, Polesley, Robertson, Robinson, Ross, Schenck, Selye, Shanks, Sigreaves, Smith, Stewart, Taber, Taffe, Taylor, Trowbridge, Twitchell, Upson, Van Auker, Burt Van Horn, Robert T. Van Horn, Van Trump, Ward, Henry D. Washburn, John T. Wilson, Stephen F. Wilson, Wood and Woodbridge—102.

So the amendment was rejected.

The question recurred on agreeing to the resolution, and it was adopted.

As these pages are going through the press some documents of peculiar interest reach us; one is a debate in the House of Commons on the state of Ireland; another is a speech made by John Bright, in Birmingham, and a third is the Queen's speech, read by commission, on the proroguing of the Imperial Parliament on the 21st of August. Every one read the Queen's speech which came by cable. Very few read the other documents which came by mail. As the two latter very flatly and authoritatively contradict the former, and moreover, throw great illumination on the speech from the throne, I shall have to place them in juxtaposition for the benefit of American readers especially for Americans who are in the dark on the subject of Ireland, and who chiefly seek to be enlightened from such sources as republications from the "leading English journal." In announcing that "the treasonable conspiracy in Ireland has proved futile," the Queen compliments the valor of the troops, the activity of the police, and "the general loyalty of the people." The general loyalty of the Irish people is a sentiment of similar import to the announcement so constantly made that "Ireland is tranquil," or "improving," or "happy and contented."

The debate on the Irish question elicited a variety

of opinions and facts discussing the land, the educational, and the church questions as relating to Ireland. None of the speeches were intended to present a Fenian aspect, but all more or less were based upon the facts of which Fenianism is the honest and fearless exponent. The best speech of the occasion was made by Mr. Monsell, an Irish landlord and a loyalist; but one who, upon the word of Father Lavelle, is "a deep thinker, a man of great uniform action and princely fortune." His position adds immeasurably to the force of his words, which, coming from any honest man, irrefutable as they are, should meet the attention of every American thinker and publicist:

"Never in the memory of any living man was there such deep-rooted disaffection as there was now (hear, hear). Never were the minds of the people so alienated from the Government under which they lived (hear, hear). They were indifferent to the action of Parliament. Their eyes were turned not to Westminster, but to Washington. That disaffection prevails among the lower classes no one would deny, but it goes up much higher in the social scale. I do not refer to actual Fenianism, but to that feeling of actual hostility to Great Britain which is from day to day becoming more intense. I have made inquiries on that subject which satisfy me that this pervades the farming classes. It pervades the vast majority of those who pay less than £100 a year rent. Many of the younger members of the families of even larger farmers share it. The shopkeepers in the smaller towns, and many of the smaller shopkeepers in large towns, are in ardent sympathy with it. What is the newspaper that is waited for with the greatest interest? The *Irishman*, which is full of unmitigated treason. If you want to get a frame for a picture, you find the framers and gilders overwhelmed with de-

mands for frames for General Bourke's portrait. You see placards in the streets of the large Irish towns advertising 'Voices from the Dock,' in other words, pamphlets containing speeches delivered by the Fenian prisoners at their trials. Only the other day, at Dungarvan, many of the respectable people showed the direction of their sympathies, by providing champagne and every delicacy of the season for some American Fenians arrested there. At Waterford, not long ago, the mass of the people in one part of the town hurried out at short notice, to rescue some Fenian prisoners who were marching through the town (hear, hear). These were the sort of things which were taking place every day in the South of Ireland, and which demanded the most serious consideration of this house and of the Government. Has any cabinet ever devoted to that consideration one-tenth part of the time it bestowed upon the comfortable house-holder? Is any verification of the truth of my description asked for? Look across the ocean—

'Cælum non animam mutant qui
Trans mare currunt.'

Does not every Irishman who lands in America at once become a Fenian? Does the voyage change his opinions? Is it not manifest that there he only professes openly the political creed he may have concealed at home. Here, then, is the result of six hundred years connection between England and Ireland—military occupation—suspended liberties—universal discontent, and a new Irish nation on the other side of the Atlantic, recast in the mould of democracy, and watching for an opportunity to strike a blow at the very heart of this empire. Now, let me ask what is the cause of this disastrous combination? Is it destiny! Is it a wayward fate! Must we fold our hands in despair? Are we powerless in this emergency? Is it impossible for two distinct races, such as the English and the Irish, to be cordially united in feeling? Look at Alsace (hear, hear, hear). There you have a population of German race—speaking the German language, separated only by a river from the rest of the German race; and yet the inhabitants of Alsace are as thoroughly French in feeling as the inhabitants of Touraine (hear, hear), and woe to the German who endeavored to tamper with their allegiance. Well, then, if race is not the obstacle

to concord, is it religion? Look at Silesia—in 1742, Silesia was taken from Austria and annexed to Prussia. From that day to this, Catholic Silesia has expressed by word and deed nothing but thankfulness for the transfer it underwent, and, as was shown in the war last year, no part of the Prussian dominions contains a population more devoted to the house of Hohenzollern than the Silesians are (hear, hear). Look again at Canada—look at the Canadians of French origin. All history teaches the same lesson, justice and equality have a binding force which nothing can destroy. But, sir, let me ask is it not the most natural course to go to the Irish people themselves, and find out from them what is the cause of their disaffection? (hear, hear). You will find that they all will give the same reason. I am going to repeat that my honorable friends who come from Ireland have heard *usque ad nauseam*. The people of Ireland say that they are not governed according to their own wishes or feelings or requirements, but according to the wishes or prejudices of the people of England (hear, hear). They say they have no effectual control over their Government, which is controlled by England, and that measures admittedly just and suited to Ireland, are abandoned because the Government of the day is obliged to conform to its measures, even those that regard Ireland alone, to the views, often ignorant, and to the narrowest prejudices of the people of Great Britain (cheers). I do not say whether this view is right or wrong; but I can vouch for its being the opinion, nay the conviction, not only of the peasantry but of the middle and farming classes in the greater part of Ireland (no, no). I do not know who says 'No, no.' It must be some one not very well acquainted with Ireland. I see now who it is. It is the right honorable gentleman the Attorney-General for Ireland. The other day that learned gentleman said that the people of Ireland were not at all discontented (hear, hear). No authority can be attached to the opinion of a gentleman who made such a statement (hear, hear). I think it quite unnecessary, therefore, to refute his present contradiction (cheers). What the people of Ireland, then, ask, is to be governed according to their own requirements, just as the English and Scotch are according to the requirements of their respective countries (hear, hear). And they point to the re-

markable instances in confirmation of the view that Irish interests are sacrificed to English opinion. They take the land question, an old grievance; for more than two hundred years ago Sir John Davies said, 'No care is taken of the inferior people. Tenants at will, by reason of the uncertainty of their estates, did utterly neglect to improve the land.' They say that Parliament recognized this grievance twenty-two years ago—that it deliberately admitted that the Irish law of landlord and tenant was not adapted to the wants of that country (hear, hear), and yet, in spite of eloquent speeches and the exertions of eminent statesmen, nothing had been done to redress the grievance (cheers). Over forty bills have been introduced—not one that touches the admitted grievance has been passed (hear, hear). They ask—not, I think, unnaturally—would an English or a Scotch grievance have been so dealt with (hear, hear)? Next they turn to the question of the Irish Church (cheers). For a longer period even than twenty-two years, ever since 1834, the most eminent orators and statesmen have declared that no grievance like it exists or ever has existed in the world (hear, hear). Nowhere else, as Macaulay, Brougham, Lord Grey, C. Buller, a whole army of distinguished men have proclaimed, are the funds destined for the spiritual wants of a whole people appropriated to the wants of a small minority (cheers)? But eloquence, and reason, and authority, and logic, have been powerless against prejudice— orators and statesmen have passed away, and the Irish Church remains. Would, the Irish people demands, such an anomaly have been tolerated in England or in Scotland (cheers)? Do you wonder, then, that the Irish people complain that they are governed according to the feelings and prejudices of the people of England, rather than according to their own requirements (cheers)? Do you wonder that they resent the deprivation of that which Guizot, in his last volume, declares to be the end of representative government, viz.: that a people should have a constant direction and effectual control in their own government; that they should be ruled, not according to the abstract principles of statesmen who do not know their condition, but according to the peculiar wants generated by their own special circumstances. If you mean to satisfy them, then, you must give them what they reasonably and justly

ask for, not what those at a distance think suitable for them (cheers). Let them be the judges in their own concerns. It is, believe me, perfectly idle to attempt to change the condition—the perilous and menacing condition of Ireland—unless you strive to gain the hearts of the Irish people (cheers). These hearts you can never gain unless you remove the impression that English policy, not justice, rule your deliberations (cheers). No advancement in national prosperity—no improvement in the material condition of the people will do anything so long as that policy of injustice rankles in the minds of the people (cheers). Indeed, the more educated they become, the more they are able to compare their lot with that of the inhabitants of other countries, the more acutely they must feel their own wrongs."

Mr. Monsell was led into this bold picture of the state of Ireland, by a desire to make the Government hold out some inducement for those not Fenians to become loyal. "Make those," said he, imploring the Ministers, "that are *not* Fenians loyal, and you need not trouble your heads about the Fenians." What an admission by an honest landlord who does not advise coercion but concession; not the rule of rage, but redress. The Fenians are *dis*-loyal: Mr. Monsell says the mass of people not Fenians are not loyal; in other words the vast majority of the people in Ireland, Fenians or not Fenians, are opposed from their heart of hearts to the English Government. How does this estimate of the people agree with the Queen's announcement of the general loyalty of "her Irish subjects." Assuredly the self-delusive congratulation in

the Queen's speech cannot stand before the powerful truths in Mr. Monsell's statement.

"Ireland tranquil;" the "conspiracy futile;" the people "loyal!" Hear how John Bright, at Birmingham, addressing the majesty of the people contradicts the "Majesty of England," on Ireland and the Irish:

"Will you let me tell you that Ireland was once an independent kingdom—that within the life-time of many here it had an independent Parliament—that at this moment, united with Great Britain, it requires *about forty thousand men—soldiers and military police—to keep the country quiet, and to prevent insurrection, and, it may be, revolution?* (Cries of shame.)"

Impossible! forty thousand troops to keep the tranquil, loyal Irish quiet. If they are *so* quiet with forty thousand soldiers amongst them what would such loyal people be without them. It is plain that her Majesty's idea of loyalty and Mr. Bright's are not exactly the same. The latter continues:

"What right have you to hold in subjection, by forty thousand troops, paid out of your taxes, a people—(loud applause)—who dislike your government, and who believe that you have not done them justice? (Hear, hear, and cheers.) I hear a talk—it is old phraseology—it was common here about seventy or eighty years ago—about our sacred institutions in Church and State (*derisive laughter*). Does any man tell me that the Christian religion, or that the Protestant portion of the professors of that religion, have any interest in the maintenance of a Protestant Church, comprising but a handful of the population, in the midst of a great Catholic nation?—(loud cries of no)—and a Protestant Church, compris-

ing not more than one-eighth or one-ninth of the population, absorbing the whole ecclesiastical property of the whole kingdom. (Cries of shame.) I have discussed this matter before in this hall, (hear, hear). I have asked you if you were to endeavor to set up such an abomination north of the Tweed, what would happen to Scotland? Tranquility? Constant union with England? No; but exactly what you have in Ireland, only *fought out* by a people infinitely more united than are the people of Ireland. And if anybody were to attempt to set up in England what England has set up in Ireland, *England would be in a condition of perpetual anarchy and constant revolt, (hear, hear).*"

Mr. Bright's idea of a tranquil nation differs as much from that in the Queen's speech, as their estimates of what makes a loyal man. Moreover, the English Reform orator shows why there ought *not to be* tranquility quite as forcibly as the Irish landlord shows there is none. American journalists should note these facts and be prepared to expect a suspension of the *Habeas Corpus* Act, as an echo to Irish "tranquility;" an attack on a barracks to be hidden behind every official glorification of "content" in "poor Ireland," and to be morally certain that the jails are overflowing when Ireland is complimented on her "loyalty."

While the Queen's speech was being read; and the British Parliament prorogued in London, on the 21st of August, the Sixth National Congress of the Fenian Brotherhood was assembling in New York. Delegates representing the States of Maine, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania,

Ohio, Maryland, Indiana, Missouri, Arkansas, Virginia, Michigan, Kansas, Iowa, Washington, D. C., New York City and District of Manhattan, Long Island, and Counties and Towns of the State of New York, and Canada, took their seats.

The administration of the affairs of the Brotherhood since the last Congress was submitted and approved. The great object of the Assembly was to consult on some means of reconstruction to meet the altered aspect of circumstances in Ireland. To this end the Constitution was slightly amended, and Mr. John Savage elected Chief Executive. On the next day, the 25th, Mr. Savage attended the Congress. The following is from the official report:

Mr. SAVAGE briefly addressed the Convention. After explaining why he was unable to accept the invitation of the Convention, and be present at its sittings (in consequence of severe illness which scarcely permitted his presence for a brief period to-day), Mr. Savage thanked the Convention for the high honor it had paid him in unanimously electing him to the office of Chief Executive of the Fenian Brotherhood, and said:

"Many of you are aware that I have for months persistently refused to allow my name to be brought forward in this connection. As far back as the last Congress or Convention, I declined the proposition. If I consulted my own desire, I would decline it now. My habits are at variance with those of what is called an 'Irish politician,' a character with which I have no desire to be confounded. My habits are those of a student and literary man; and I have been induced to accept this office on the urgent representation of good men, personally and by letter—men who, speaking for localities thousands of miles apart, have expressed the same request,

based upon the same hope. They have been pleased to say that possibly through me a union of discordant parties might be effected, and placed the matter in such a light as compelled me to this course as a duty."

Mr. Savage spoke of the deep love of country which lay in the centre of every Irishman's heart, and which needed only mutual respect among themselves, and a proper incentive to be made an effective power. Without a knowledge of details, the movements of the year were deemed failures. The world judges causes by results—measures the character of attempts by their issues, but time, to use a journalistic simile, was a careful proof-reader, a sedulous emendator, and revised the erroneous impressions left by contemporaneous judgments, often proving—that it will again prove—that failures are but the openings to success.

Mr. Savage excused himself on account of the state of his health, from speaking at length, but, in conclusion said he would invoke Almighty God—the God of the sorrowful and oppressed, as well as the God of the free, to illumine his brain with the fire of wisdom, and cleanse his heart with the fire of truth, so that thus purified and strengthened, he might be gifted with honesty, sagacity and courage, to unite the scattered elements of the race, and fervently labor to guide them to a beneficial result.

Such is, in substance, an historical epitome of Irish wrongs for centuries; and of the efforts made, especially within the last three-quarters of a century, and even unto this date, by Irishmen, at home and abroad, to establish Irish rights in Ireland.

J. S.

FORDHAM, 26th August, 1867.

THE ANCIENT FENIANS.

The Fenians—Who Were They—Their Duties, Manners and Customs—The Ossianic Society.

SINCE the Fenian Brotherhood have become famous, a power on the earth, and a terror to English ministers and excited Parliamentarians, there have been many speculations as to the origin, meaning and appropriateness of the designation—Fenian. Some of these conjectures were very far-fetched, others ridiculous, and none correct. That tracing the name of the Brotherhood to the Phœnicians who came to Ireland in the remote ages, was the only one approaching rationality.

The era of the Fiann (*Feean*), that is the Fenian period, was one the most romantic and glorious in the records of ancient Ireland, and an account of the Fenian Brotherhood who then made it so, collated from the most reliable authorities at hand, will doubtless be interesting in itself, as well as furnishing the origin of the designation now so widely recognized as synonymous with Irish liberty.*

* The authorities freely used in the compilation of this chapter, are Dr. John O'Donovan's Translation of the *Annals of the Four Masters*. 7 vols; Owen Connellan's Translation of these *Annals*, with annotations, by Philip MacDermott, M. D., 1 vol., 4to; Moore's *Ireland*; O'Mahony's Translation of Keating, N. Y., 1866, and the various references made by all.

The Fenians, called by the Irish writers *Fianna Eirionn* (the Fenians of Ireland), are mentioned in the Four Masters, under the title of Fene, or Feine, which according to Doctor O'Connor, signifies the Phœnicians of Ireland, and they were probably called so, says McDermott, from the tradition that the Phœnicians came to Ireland in the early ages. Their mode of life would seem to give some warrant to the conjecture that the name was as likely to come from *Fiad-hach* (*Feeagh*), a hunt, and to mean an order of hunters. Thus the German Light Cavalry Corps, *Jagers*, means *hunters*. The Fenians seem to have done nothing but hunt and fight.*

The most widely accepted explanation of the name is that the *Fianna Eirionn*, were called after Finn MacCumhal their great leader. This Finn is the hero of MacPherson's Ossian, and is there called Fingal. "It has been the fate of this popular hero," says Moore, "after a long course of traditional renown in his country, where his name still lives, not only in legends and songs, but yet in the most indelible scenery connected with his memory, to have been all at once transferred, by adoption, to another country (Scotland), and start under a new but false shape, in a fresh career of fame."

Dr. O'Donovan says, "This celebrated warrior, who had two grand residences in Leinster, one at Almhain, now the hill of Allen, and the other at Magh Elle, now Moyelly, in the King's County, was son-in-law of King Cormac, and General of his standing army,

* See O'Mahony's Keating, notes to preface.

which, as Pinkerton remarks, seems to have been in imitation of the Roman Legion. The words of this critical writer are worth quoting here: 'He seems, says he, 'to have been a man of great talents for the age, and of celebrity in arms. His formation of a regular standing army, trained to war, in which all the Irish accounts agree, seems to have a rude imitation of the Roman Legion in Britain. The idea, though simple enough, shows prudence; for such a force alone could have coped with the Romans had they invaded Ireland. But this machine, which surprised a rude age, and seems the basis of all Finn's fame, like some other great schemes, only lived with its author, and expired soon after him.'** Finn, however, was not the founder, but the great disciplinarian and most renowned leader of the body.

The traditional repute of Finn and his Fenians was undoubtedly great, for, as O'Donovan suggests, their achievements were handed down, vividly remembered, and enthusiastically recounted, while their imitators, the Kerns and Galloglasses of later ages, are nearly forgotten.

The Fenians were the standing military force, the national militia, instituted in the early ages long before the Christian era, but brought to the greatest perfection in the reign of the celebrated Cormac, Monarch of Ireland, in the third century. They were in regular and constant pay, and their duty similar to that of any modern standing army. They had to defend the country against foreign or domestic enemies; to

* Pinkerton's *Inquiry into the History of Scotland*.

support the rights and succession of the chief monarch, and to be ready at the shortest notice, to meet any surprise or state emergency. They guarded the sea coasts, having strict eye upon the creeks and havens of the island, lest any pirates should be lurking there to prey upon the inhabitants, and plunder the country. They were to support the crown, defend the country, and secure the liberty and property of the people.

In the winter time, that is from Samhain (All-Hallow-tide) to Beltani, (May) these troops were quartered upon the people, and the rest of the year they lived out of doors, being permitted to hunt and fish and provide for themselves. They received pay during the winter season, and for wages during the hunting season, the skins of the animals they caught, which brought a good price. By this admirable arrangement the troops were always kept in a state of athletic activity, and was a self-sustaining establishment during the greater part of the year. The hunting and fishing was not permitted to interfere with other duties, as they were enforced to perform their military exercises, and to be under discipline. The officers were enjoined not to oppress, but to defend the inhabitants from the inroads of thieves and robbers, and to promote the peace and happiness of the people. It was their duty to quell all riots and insurrections, to raise fines, secure forfeited estates for the use of the monarch, enquire into and suppress at the beginning all seditions, and to appear in arms whenever the State required.

The account of the habits of the Fenians during the hunting season, as well as the qualifications necessary

to gain admittance into so distinguished a body, are mainly condensed or adopted from Keating.

The method of dressing their meat was very particular: when they had success in hunting, it was their custom in the forenoon to send their attendants, with what they had killed, to a proper place, where there was plenty of wood and water. There they kindled great fires, into which they threw a number of large stones, where they remained until they were red hot. Then they applied themselves to dig two great pits in the earth, into one of which, upon the bottom, they used to lay some of these hot stones as a pavement, upon which they would place the raw flesh, bound up hard in green sedge or bull-rushes; over these bundles was fixed another layer of hot stones, then a quantity of flesh, and this method was observed until the pit was full. In this manner the meat was stewed till it was fit to eat, and then they uncovered it; and, when the hole was emptied, they began their meal. This Irish militia, it must be observed, never eat but once in twenty-four hours, and their meal-time was always in the evening. When they had a mind to alter their diet, instead of stewing their meat, as described, they would roast it before these fires, and make it palatable and wholesome.

As an undisputed evidence of these fires, the marks of them continue deep in the earth, in many places of the island, to this day; for they were very large, and burned exceeding fierce, and the impression they left is now to be met with many feet deep in the ground. When any husbandman in Ireland turns up with his

plough any black burnt earth, he immediately knows the occasion of it; and the soil of that color is known, with great propriety, by the name of *Fulacht Fian*, the cooking places or kitchens of the Fenians, to this time.

When the Irish militia came to these fires to dress their meat, before they went to eat they would strip themselves to their shirts, which they modestly tied about their middles, and go into the other pit dug in the ground, which was very large and filled with water. Here they would wash their heads and necks, and other parts of their bodies, till they had cleansed themselves from the sweat and dust occasioned by their hunting; and this custom was very wholesome and refreshing, for they would rub their limbs and their joints, till they had forgot all their fatigue, and became as sprightly and active as when they began their sport in the morning: when they were perfectly clean, they would put on their clothes, and begin their meal.

After they had eaten they would apply themselves to build huts and tents, where they made their beds, and designed to repose themselves for the following night. These beds were composed and laid out with great exactness. They cut down branches of trees, which they placed next the ground; upon these was laid a quantity of dry moss, and upon the top of all was strewed a bundle of green rushes, which made a very commodious lodging. These beds, in the ancient manuscripts, are called *Tri cuilceadha na feine*; which, in English, signifies the three beddings of the Fenians.

The constant number of these standing forces, that were quartered upon the kingdom of Ireland, was three

battalions, each battalion consisting of 3,000 able men. But this was the establishment only in time of peace, when there were no disturbances at home, or fear of any invasions from abroad. When the force was complete, it consisted of seven *Catha*, that is, battalions or legions, making, according to O'Halloran and other historians, 21,000 men for each of the five provinces; or about 100,000 in time of war, for the whole country.

Finn, the commander-in-chief of the Irish militia, had several inferior officers, who, in their degrees, exercised an authority under him, by his commission. Every battalion or legion was commanded by a colonel; every hundred men were under the conduct of a captain; an officer, in the nature of a lieutenant, had fifty under him; and a sergeant, resembling the *Decurio* of the Romans, was set over five-and-twenty; but when a hundred of these militia were drawn out, by ten in a rank, there was an officer appointed from that ten over the other nine.

Every soldier that was received into the militia of Ireland by Finn, was obliged, before he was enrolled, to subscribe to the following articles: the first, that, when he is disposed to marry, he would not follow the mercenary custom of insisting upon a portion with a wife, but, without regard to her fortune, he should choose a woman for her virtue, her courtesy, and good manners. The second, that he would never offer violence to a woman. The third, that he would be charitable and relieve the poor, who desired meat or drink, as far as his abilities would permit. The fourth, that he would not turn his back, or refuse to fight with

nine men of any other nation that set upon him, and offered to fight with him.

It must not be supposed that every person who was willing to be enlisted in the militia of Ireland, would be accepted; for Finn was very strict in his inquiry, and observed these rules in filling up the number of his troops, which were exactly followed by his successors in command, when they had occasion to recruit their forces.

He ordained, therefore, that no person should be enlisted or received into the service, in the congregation or assembly of Uisneach, or in the celebrated fair of Tailtean, or at Feis Teamrach, unless his father and mother, and all the relatives of his family, would stipulate and give proper security, that not one of them should attempt to revenge his death upon the person that slew him, but to leave the affair of his death wholly in the hands of his fellow-soldiers, who would take care to do him justice as the case required; and it was ordained, likewise, that the relations of a soldier of this militia should not receive any damage or reproach for any misbehavior committed by him.

The second qualification for admittance into these standing forces was, that no one should be received, unless he had a poetical genius, and could compose verses, and was well acquainted with the twelve books of poetry.

The third condition was, that he should be a perfect master of his weapons, and able to defend himself against all attacks; and to prove his dexterity in the management of his arms, he was placed in a plain field,

encompassed with green sedge, that reached above his knee; he was to have a target by him, and a hazel stake in his hand of the length of a man's arm. Then nine experienced soldiers of the militia were drawn out, and appointed to stand at the distance of nine ridges of land from him, and to throw all their javelins at him at once; if he had the skill, with his target and his stake, to defend himself, and come off unhurt, he was admitted into the service; but if he had the misfortune to be wounded by one of those javelins, he was rejected as unqualified, and turned off with reproach. This trial was to make sure that the claimant for admission was competent to fill the post of leader of a file of nine men, in which position he was expected to ward off from his men, the javelins of an equal file of attacking enemies.

A fourth qualification was, that he should run well, and in his flight defend himself from his enemy; and to make a trial of his activity he had his hair plaited, and was obliged to run through a wood, with all the militia pursuing him, and was allowed but the breadth of a tree before the rest at the setting out; if he was overtaken in the chase, or received a wound before he had ran through the wood, he was refused as too sluggish and unskilful to fight with honor among those valiant troops.

It was required, in the fifth place, that whoever was a candidate for admission into the militia, should have a strong arm, and hold his weapon steady; and if it was observed that his hands shook, he was rejected.

The sixth requisite was, that when he ran through a wood his hair should continue tied up, during the chase; if it fell loose, he could not be received.

The seventh qualification was, to be so swift and light of foot as not to break a withered branch by touching upon it.

The eighth condition was, that none should have the honor of being enrolled among the Irish militia, that was not so active as to leap over a tree as high as his forehead; or could not, by the agility of his body, stoop easily under a tree that was as low as his knee.

The ninth condition required was, that he could, without stopping or lessening his speed, draw a thorn out of his foot.

The tenth and last qualification was, to take an oath of allegiance to be true and faithful to the commanding officer of the army. These were the terms required for admission among these brave troops; which, so long as they were exactly insisted upon, the militia of Ireland were an invincible defence to their country, and a terror to rebels at home and enemies abroad.

The great Finn was slain by the cast of a javelin or the shot of an arrow, at a place called *Ath Brea*, on the river *Boyne*, A. D. 233. After his death, the Fenians were commanded by his son *Ossian*, (pronounced *Osheen*), the Celtic Homer, who was a famous warrior as well as a bard. At the great battle of *Gaura*, the Fenian forces, numbering twenty thousand, eighteen thousand of whom fell, were commanded by *Ossian's* son *Osgar*, who was also killed. "The tremendous battle of *Gaura* is considered to have led to the subse-

quent fall of the Irish monarchy, for, after the destruction of the Fenian forces, the Irish kings never were able to muster a national army equal in valor and discipline to those heroes, either to cope with foreign foes, or to reduce to subjection the rebellious provincial kings and princes; hence the monarchy became weak and disorganized, and the ruling powers were unable to maintain their authority, or make a sufficient stand against the Danish and Anglo-Norman invaders of after times."*

The *Ossianic Poems* are replete with descriptions of the greatness, magnificence and glory of Finn, and the prowess of the Fenians. One of the poems gives a glimpse of the great fortress on the hill of *Allen*, in *Kildare*, the chief residence of the Fenian chief, and the troops under his immediate eye. It is thus versified:

When I sup'd in the halls of Finn,
At ev'ry banquet there, I've seen
A thousand costly goblets brimming,
Their edges wreathed with golden rimming.

Twelve habitations rose in state,
Fill'd with the Fenian legions great.
In the son of the daughter of *Teige's* command,
At fair *Almhuin* of the Fenian band.

Twelve great fires forever flamed,
In each of the princely dwellings named,
And round, to be but in death sund' red,
Were Fenian heroes by the hundred.

The *Ossianic Society's* publications are throwing great light and innumerable picturesque illustrations

* *Annota*, *Connellan's* and *MacDermott's Four Masters*.

on the customs and habits, as well as the political history of what is particularly distinguished as the Fenian era of Ireland. This society numbers among its members very distinguished, as well as some very loyal gentlemen; and it is not a little remarkable, that while they are sedulously employed in disintombing from the dust of ages, the history, literature, bravery and gallantry of the elder Fenian period; the Government are not less busily employed in consigning to the death of dungeons, and the obscurity of penal servitude, those who aspired to bring a new soul into Ireland, or revive the spirit of the old national guard, in the creation of the Fenian Brotherhood. The Ossianic Society ought to be encouraged in their efforts to illuminate the Fenian history of Ireland. Macpherson, in his manufactured Ossian, leads us to look upon Finn as a myth. The history brought to public view by the Ossianic Society, show him to have been what he was, a great patriot-general, of remarkable foresight, military genius, and heroism. There is no greater inspiration to heroism than the example afforded by the deeds of heroes. In picture, poem and story, they should be kept before the eye and heart of the people, to excite the imagination to noble actions, and to strengthen the will to perform them.

COLONEL THOMAS FRANCIS BOURKE.

Emmet and Bourke—Movements of Bourke's Family in America and Canada—At Business—A Family Picture—Joins the Fenian Brotherhood after the War—At the Third Congress—Success as Organizer for Manhattan District—Resigns—Why he went to Ireland—Assigned to the Tipperary District—The Rising—Captured at Ballyhurst Fort—Indicted for High Treason—Trial—Evidence of the Informers Massey and Corrydon—Great Speech in the Dock—Touching Letters to his Mother—Description in his Cell.

It has been truly said that no words have so thrilled the Irish heart, since the ever-famous speech of Robert Emmet, in the dock, September, 1803, as those of Thomas Francis Bourke, in the same place, on the 1st May, 1867.

No doubt the similarity of the scenes which go into the immortal history of Ireland's martyrology simultaneously suggested the comparison between them, to many minds. It was natural. It would have been remarkable, indeed, if beholding the one, the memories of the other were not conjured up. Sixty-four years almost had passed, since the devoted young Irish exile went from France to revolutionize his country, and give freedom and the means of happiness and prosperity to her oppressed people. Uncontrollable circumstances baffled his devotion, waylaid his hopes, exposed his plans, frustrated the result, which should have fol-

lowed his enthusiastic and carefully devised labors, and flung him into the relentless jaws of English authority, as administered in Ireland by the infamous Norbury. He died glorying in the sacrifice he was able to make on the altar of his country's rights; and his wondrous words are daily given in school-books and "Readers," with those of the founders and heroes of the United States, to the boys of the Republic, to enliven their mental marrow with deeds of glory, and strengthen them with faith in love of country, even unto dying for her.

The heroism and romantic disinterestedness which we have been accustomed to regard with a fervor which awoke our pride, not less than our pity—and pity, the Irish dramatist tells us, is "kin to love"—has been enacted over again in these, our supposed prosaic days. This time the hero went to Ireland, not from France, but from America, guided by similar desires, fed by as broad a faith, and encouraged by hopes born of facts, apparently not less—actually much more convincing, than those upon which the young revolutionist of 1803 based his mission to Ireland.

It is not only a source of consolation, but of hopeful inspiration, to see the effect produced by the bold and touching words of an honest man. They are self-convinced to the heart of every manly reader; they need no argument to enforce their truths, or prove the character of the man who utters them. Thomas Francis Bourke, who had been scarcely mentioned in the public press, before his trial, has leaped into a widely acknowledged pre-eminence; a position which cannot be

won simply by fortunate circumstances on the one hand, or appealingly oppressive treatment on the other. The vital spark of genius, whether it be manifested in letters, art, science or heroism—for there is a genius in heroism outside of that other reliable kind mentioned in gazettes, and based on routine—must be there—must give life to the act or expressed thought, must give that touch of nature which makes the whole world kin. Robert Emmet was scarcely known until he never could be known, save by the record which his genius and his faith made. The name of Thomas Francis Bourke was scarcely known until it filled all mouths; and he will, no doubt, be associated with his day, when those who occupied public attention for years before it, will be placed on the retired lists of history.

It is those truths, which anticipate tradition and history, that lend an interest to the career, whatever it may have been, which preceded the act which gives or propitiates fame.

Thomas Francis Bourke was born on the 10th December, 1840, in the town of Fethard, county of Tipperary—"Tipperary of the broad hills and golden valleys; Tipperary, where the rivers flow like Irish melodies, dividing their chorus with the more rugged and picturesque hills of Waterford, that seem to grow tame with listening, as the 'rude sea' erst did to the 'dulcet and harmonious breath' of Oberon's mermaid." Like many of the very ablest men, wits, orators and poets, Curran, Moore and Mangan, for instance, and most devoted and effective patriots, like Wolfe Tone and

William Putnam McCabe, Bourke sprung from the people. We learn that both of his parents belonged to the most respectable of those families, known in Ireland as "the middle class." His father was a man of marked intelligence, and more than the average education of persons engaged in trade. He carried on the painting and decorating business successfully for many years, and, as well from his cleverness and industry, as from his family connection with many of the professional men and better class of farmers, enjoyed a large share of the contracts in his county. No man stood higher in his community, than the good father of this good son, who was one of six children. The results of the famine year, which were felt so heavily in the south and west, materially affected Mr. Bourke's business, so much so indeed, that emigration from the isle of sorrow was suggested, and accepted as the only means of affording his young family that present care and future prospect, which his heart prompted him to give them. In 1850, Mr. Bourke and his family arrived in New York, and commenced the world anew. His days were spent in providing the means of physical sustenance for his children, his evening leisure hours to the imparting of such literary aliment to them as his early habits enabled him to bestow. At the end of two years, he had acquired a modest competency, when the failing health of his wife demanded immediate removal; and the family, leaving New York, settled in St. Johns, Newfoundland, to commence life for the third time. Mr. Bourke's attention and industry produced their inevitable reward, and he had

succeeded in establishing himself, when his own health gave way, and a change again became necessary. After two years in St. Johns, he was obliged to remove to Toronto, Canada West, where a successful relative, a member of the Provincial Parliament resided.

Meanwhile Thomas Francis had not been idle. He had put his hand to, and became skilled in his father's business, so much so, that he was permitted to travel "on his own responsibilities." He bent his steps to Boston, where another relative lived and flourished. Here he settled and worked, and won not only a manly independence for himself, but a surplus, which he nobly contributed to the family fund at Toronto. His father's health continued to break; his exertions had been unremitting, his physical ability overtaken, in 1858 he became helpless, and thenceforth we are told the entire support of father, mother, three sisters and a boy brother, devolved solely on the stout heart and skilful hand of the dauntless youth, the subject of this sketch, who remitted his bank cheque to Canada with the regularity of Saturday night's succession. At length the father died, and selling out their pretty little cottage in the suburbs of Toronto, Mrs. Bourke and her children removed to New York. Here the girls, now approaching womanhood, found work for their industrious fingers, and relieved their brother in part, of the burden he had so loyally and lovingly borne. The family became very happy together, and Mr. M. J. Heffernan, to whom we are indebted for many of the facts here narrated, gives us a graphic and touching view of the sayings and doings

in their humble but happy home. He says it was a great treat to their few and select friends to visit them of an evening. "Poor Tom came in from his day's work, with his pleasant smile and his cheery laugh, and his little sister picked up her books and slate and made way for Tom to kiss dear mother; and then his grown up sisters come in, and they had such welcome for each other as though they had been all absent for years. And then they sat down to tea in such a jolly humor, and talked over old times; and old struggles, and old friends, and of the little brother at school, in Canada, under the guardianship of the relative above mentioned; and when the tea things were removed they read a while from books of their intelligent mother's choosing, and from the morning papers, which Tom was always sure to fetch home, and from some national journal, which they received from an unforgetful friend in the old country. And then they chatted a while, and their fond mother, and one of the truest types of a true mother, told them stories of a time and a country which the elder children could not more than remember, and which the younger ones never saw; and she related passages of that country's most melancholy history, and named the books in which the episodes could be found, and they read these books as soon after as possible; and she told them stories of wrongs and sufferings, which their race had been made to bear, some printed in books, and some which were printed nowhere but in the burning memories of the Irish people. She explained to them how it came about that such a race

had been so abused, wronged, degraded and despised, and she there and then made Tom a Fenian! And as the evening wore on, some friend paid a visit and heard a sweet song sweetly sung. (How charmingly Tom's voice accompanied those of his beloved sisters!) No silly rhodomontade, but the real thing—'Cushla Gal Machre,' and 'Who fears to speak of Ninety-eight?' And, dear, oh dear, how poor Tom could sing—

'The Green, O, the Green, 'tis the color of the true!'

And then bed-time came, and the favored visitor having gone, this thrice happy little household knelt down together to mingle their responses in the Rosary, and offer an united prayer for the repose of the soul of the dead father. And then they retired for the night, under the shield of God's special protection—this Irish widow and her Irish children, with their hearts full of Irish virtue and Irish love."

After an absence of three or four years, Bourke returned to New York, about May, 1865. In some respects he was greatly developed. His natural abilities had been expanded by experience with the world, but his constitution, never strong, was radically impaired. However, he promptly set to work, and soon his quick intelligence was rewarded by the position of foreman in one of the largest painting firms in the city, with a handsome salary.

The Fenian Brotherhood had received a wonderful impetus during the war. The development of Irish character and bravery, as illustrated by Corcoran, at Bull-Run, as prisoner of war and subsequently, in

command of the Irish Legion; by Mulligan, in his famous defence of Lexington; by Meagher and the Irish Brigade; by Shields, who out-maneuvred and defeated Stonewall Jackson; by Bryan, who fell at the head of his regiment at Port Hudson; by Cass and his "Irish Ninth" of Massachusetts; by Guiney, who succeeded him, and by Byrnes and his twenty-eighth of the same State; by Cahill and his Connecticut Irishmen; by Lawlor, of Kentucky; McGroarty, of Ohio; Thomas Smythe, of Delaware; Matthew Murphy, James E. McMahon, James P. McIvor, and many others, had a very powerful effect on the Fenian organization. This was augmented by the action of England during the war; and the expectation that hostilities between the United States and the former, would give the Irish soldier a chance to strike at his old enemy, brought light and comfort on many a weary march, and nerved him to survive all difficulties, in view of the long expected day of retribution. This hope caused Fenianism to spread rapidly, as well in the army as out of it. The military enthusiasm, bred of experience and the self-reliance it creates, thus infused into the organization, gave it great hopes and vitality.

On Bourke's return to New York, he found many of his associates, both soldiers and Fenians, anxious to put the knowledge of the former into the cause of the latter. With the teaching of his good mother, under the shelter of the Republic; with the memories of British benevolence to Ireland, in the shape of famine, fever-sheds and oppression, it was not difficult to enlist him in the great old cause, with the older name. His sym-

pathies once aroused, Bourke's every energy followed in the same direction. Consequently, with his positive talents and manly attributes, his pride of uprightness and horror of subterfuge, he rose rapidly in the estimation of his brethren of the Wolfe Tone Circle, which he had joined. He was elected a delegate to the third National Congress, held at Philadelphia, (Oct. 1865,) and strenuously strove to prevent the change in the Constitution which introduced a President, Senate and House of Delegates into the organization. His efforts, however, were not successful; but the ability and intuition exhibited in the debates, in which he participated, were not lost upon the authorities then controlling the Brotherhood, and on his return to New York, he was selected as, and requested to accept the position of, organizer for the District of Manhattan.

Thomas Bourke at once gave up his excellent employment, and entered on that path of destiny which he was so well fitted to distinguish. A natural orator, with that useful education which is always effectively ready, because self-acquired; with a clear, pleasant voice, and a manner not less fervid because graceful and easy, Bourke quickly made himself felt in his new sphere. He never talked from a subject, but at it, and into it, and brought home to the minds of his hearers the sterling convictions which animated his own. His sincerity and earnestness were strongly indicated by his words and manner, and gave assurance of unquestionable patriotism and nature's nobility.

At the time Bourke became organizer, there were some seventy circles, with ten thousand members, in

the State of New York. In two months of his "preaching" as he used to call it, New York city alone had one hundred and four circles and thirty thousand members in "good standing." At the division in the Fenian ranks he remained with the parent organization; was a delegate to the Fourth National Congress, New York, January, 1866, which abolished the Presidency and Senate, and reinstated the old constitution; and was unanimously elected District Centre for the District of Manhattan, which embraced the Counties of New York, Westchester, Kings, Queens, Suffolk and Richmond, in the State of New York, and County of Hudson, in the State of New Jersey. His days were taken up with incessant labor in his office on the ground floor of the celebrated headquarters, opposite Union Square, while his nights were not less laboriously devoted to visiting the circles.

The spring of 1866 was looked forward to by the great body of the Fenians with a sort of restless expectant enthusiasm. It was hoped that the rising in Ireland was close at hand, and the government of the Fenians in New York purchased and fitted out its first vessel for the looked-for Irish crisis. When this was effected, Bourke's heart became lightened. Contemplating the prospect of active service, he exclaimed, "Thank God, for I am tired of preaching!" He was determined to go with the vessel, in striving to dissuade him from which, Col. O'Mahony, the Head Centre, said:

"Why, you can be of no use yet, you are not a sailor."

"No matter," said Bourke, "I am resolved to go, and you must let me. There is surely something that I can do, I can keep accounts for the paymaster."

"Very well, then," said the Head Centre, "be paymaster yourself."

"Thank you, sir," said Bourke.

On that day, Bourke resigned his District Centre-ship, but he did not sail for Ireland then. Other divisions following the Campo Bello adventure, proved disastrous to the plans of the brotherhood. But neither the faith nor the perseverance of Bourke was shaken. He may have been disgusted, but he was not disheartened. On the arrival of James Stephens, Bourke again undertook the continuance of those labors in which he had been so wearied and so successful, and throughout the summer he remained at his post, making tours of organization, and assisting Mr. Stephens in his attempt to rebuild the comparatively shattered fabric of Fenianism. He had set his heart too largely on the matter not to see further into it. He had labored too zealously not to seek with his own eyes a result. In the Winter, he begged his mother's blessing, received it in the manner he so proudly alludes to in his speech in the dock, and started, hoping to aid or make an opportunity whereby the leaders of the Fenian movement might vindicate their promises.

The same friend, quoted above, Mr. Heffernan, gives a very graphic sketch, not only of Col. Bourke's appearance before he started, but of the views which inspired him to such a course. This is peculiarly

interesting, and exhibits in a marked manner the comprehensive views of duty, as well as of faith, growing out of a clear head and a fresh heart.

"I met him," says Mr. Heffernan, "the evening before he started for Ireland. His bright, intelligent face was pale and sunken, and his dark, penetrating eyes gleamed with the additional lustre of a violent fever. His soft, persuasive voice had a deeper tone, which he tried to make as cheerful as he could, but he was sick—very, very sick, and every muscle quivered, with pain. His health, never very robust, had begun to fail early in the summer, just about a year ago," and at the time of his departure, his buoyant and happy spirit commenced to succumb to the disease which had slowly but too surely undermined his constitution. His ringing laugh was growing more moistened, so to speak, every day, and there were moments when his countenance wore that sad, half sorrowful, half resigned expression, peculiar to those who *feel* that their days are not long in the land. I tried to dissuade him from going to Ireland *then*, because I knew that his declining physical strength would not permit of his undergoing a military campaign. In order further to prevail on him to abandon his design, I taunted him that his only motive in going to Ireland must be the desire to redeem his character from the stain that bad men would try to fasten upon it, on account of his persistent adherence to Mr. Stephens while he conducted the affairs of the Fenian Brotherhood in New York.

"There," said the gallant fellow, 'you evince the

mistaken notions peculiar to those who have not studied the question in all its bearings. The preservation of my honor is but one (and it is the least important) motive, which impels me to the course which I am about to take, and which I should speedily abandon were there no higher principle at stake. In the first place, we are not sure that the movement *will* be abortive. Providence may throw the necessary advantages in our favor, and where there is even the ghost of a chance, the present desperate state of affairs demands that we should run the risk. But, allowing the impossibility of our attaining the great object of our lives at present, a 'rising' in Ireland now cannot be otherwise than a success, for it is indispensable to the very life of the cause. Let us see how the case stands. You know, as well as I do, that the only hope of Ireland's redemption rests with the 'Irish Nation in America,' and you know that that new nation has the will and the power to make Ireland's freedom a certainty. You know that so far from proving this doctrine to be fallacious, the ill-directed and badly managed Fenian Brotherhood has fully demonstrated what an immense power this new Irish nation might be under honest and able guidance. You know, that in proper hands, it could tear Ireland from the united grasp of all Europe. But to be of any use whatever, in that direction, it is absolutely necessary that a clear understanding should exist between the Irish exiles here, and the patriots who may still remain on their native soil. They should regard each other with more than brotherly love, and

above all, they must have a firm faith in, and reliance upon, each other. It matters not now from what cause, but that feeling of mutual faith and reliance grows weaker and weaker every day. It must be re-inspired and strengthened at any cost, or effective work for Ireland will be rendered impossible. The injudicious course hitherto pursued by Mr. Stephens has left the men at home under a strong impression that they have been abandoned by their brothers in America. If we allow that impression to remain, they will never trust us again, and then good-bye to all hope for Ireland! It must, I say, be removed at any cost! Now, who is to remove it? The wily enemy is now at work, in press and pulpit, aided by many an 'Irish patriot' (God bless the hearers!) to weaken the faith of the people, here and at home, in their leaders—to prove that these leaders have, through sordid and other unworthy motives, led their confiding followers into a trap, and then abandoned them. It must be confessed that the conduct of Stephens has given this villainous slander a very plausible appearance of truth. He, having made that disastrous pledge, should have redeemed it with his life. His failure or folly must completely demoralize the people, if it be not counteracted. It *must* be. Kelley, Halpin, McCafferty, and the rest of us—'his associates in crime,' as we are innocently called—must prove to the people at home that their lives and liberties are not trifled with by the Irishmen of America. We must prove to them that we are in earnest—that we are ready to pour out our life-blood, not only to give them

freedom, but even to save the common cause from shame and dishonor. We have had the name of 'leaders,' and it devolves upon us to give the lie direct to those who would but too gladly say to Irishmen: 'Your leaders betray you; beware how you trust them again.' Mutual trust and confidence, between the Irish in Ireland and the Irish in America, and between the people and their leaders must be restored. When that is done, the game can be played over again, with all the advantages on our side of having seen the enemy's hand. To be sure, it will cost some hundreds of lives, but it will be well worth the purchase. The blood of her children is the only commodity in which poor old Ireland is rich. * *

But it may be objected that in ruining ourselves and those who depend on us, we have no moral right to involve the destruction of hundreds of good men in Ireland, who may follow us into danger and death. I am aware that quite a number of tender-hearted 'patriots' would take this high ground just now, and they would be perfectly right if those on whom they lavish their cheap compassion were of the same opinion, which, unfortunately for that, merciful argument, they are not. It would, no doubt, be very pleasant for those, whose malignant tongues and pens are already prepared to vituperate us in any case, to be able to say that we '*dragged*' our poor, ignorant countrymen to perdition, unshriven and unprepared, in order to redeem our own characters, or through some other less creditable, personal motive. The facts, however, of which we trust to you to give a

plain statement, at the proper time, will utterly belie the assertions that we are urged to this course by any selfish consideration whatever, or even that imprudence had any share in the matter. You are aware that within the past two months we have received despatches from every district in Ireland, all bearing the same burden—all chorusing the same tune—all beseeching us to go to them at once, no matter what means we possessed, and help them to fight the good fight, which they would immediately inaugurate without us in case we failed to be at their head. If we oppose them now, our own brothers in Ireland will be the most persistent and vehement maligners of the Irish race in America. What will be the result? The men at home will never trust us again, and then, I repeat, farewell to Irish Regeneration! They, not we, are *forcing* this business; but, God willing, if they go down, we, who first raised their hopes, will go down with them—aye, no matter how far down they may go! Therefore, I go to Ireland—feeble and prostrate as I am in body, I shall go to Ireland, and were I obliged to be *carried* through the fields, I shall be in the thick of the first fight! My comrades and myself, with a full belief in the ultimate triumph of our holy cause, go to offer up our lives—not even for the immediate consummation of our dearest hopes, but for the eradication of that distrust and want of true fraternal feeling, whose seeds the enemy has scattered broadcast amongst us, and for the establishment of that love of one another and kindly forbearance of each other's faults and follies, without which the

Irish race will ever be the shackled shame of mankind. We give our lives as an offering of purification, that our cause may be cleansed from the pollution of its enemies—that it may be lifted from the filthy slough into which it has been cast, and placed as high beyond the touch of the venal and corrupt, as it is to-day beneath the notice of those who are sincere and worthy. It behoves you who remain behind to see that this willing offering is not made in vain. On with the good work! Begin over again, and we'll fight it out on this line! Farewell!"

He went to give his young life as an "offering of purification," for the "eradication of distrust," for the establishment of mutual love and "kindly forbearance." These parting words of Colonel Bourke, show him to have sounded the depths of Irish necessity, and to have struck the key-note of Irish success. He went to a sacrifice to show others how to go to a success.

In the distribution of the district commands, Colonel Bourke was assigned to the Tipperary District. The general rising, as agreed upon, took place on the 5th March, 1867, and under that date, was issued from the "Head-Quarters I. R. Army, Limerick Junction, Tipperary," the following proclamation, the main characteristics of which will not lead us to err in assigning it to Colonel Bourke:

"SOLDIERS,—The hour for which you have longed has come at last. You are now about to confront the enemies of your country and your race. You must not expect material aid from without until you have shown the friends of Republican Liberty, by deeds, not words, that you are worthy their sympathy.

"You are not so well armed as you might be, * * * but you will remember that history furnishes no instance of revolution, when the insurgents took the field as well armed as the government forces opposed to them.

"You will carry on the struggle for Irish Independence according to the usages of civilized warfare; but should the enemy inaugurate the 'stamping out' process, or should they insult, injure or violate any of the daughters of our land, let then your battle-cry be war to the knife!

"Comrades! the eyes of the world are upon you, and thousands of your brothers beyond the Atlantic, and elsewhere, will rush to arms, when your deeds proclaim that you are really 'the men in the gap.'

"Irishmen! May the wrongs and woes of centuries of oppression and misrule, nerve your arms when you march forth to combat, with the flag of you fathers above you, and the light of battle in your faces."

The Government was prepared for the rising. It had in its pay since the September previous, the now notoriously infamous informer, John Joseph Corydon, who had been used as a despatch messenger between the leaders on both sides of the Atlantic, for nearly two years. This Corydon set the authorities on the track of Patrick Condon, *alias* Godfrey Massey, who acted in the capacity of traveling agent, or adjutant-general of Colonel Thomas J. Kelley, the acting C. O. I. R. He became likewise an informer, and his evidence convicted Bourke, who was captured at the affray at Ballyhurst Fort, near Tipperary, on the 6th March. Bourke's graces of manner won even the good-will of his captors. On his deportation, for trial, to Dublin, Major Lind, of the 31st regiment, shook hands with him, saying: "Good-bye, General Bourke; I wish you good

fortune." Bourke replied: "I wish you the same, Major, and thank you for the kindness you have extended to me."

The Special Commission sat in Dublin on the 10th April, when the prisoners, against whom bills of indictment had been found, were placed at the bar, in order to receive the necessary notice of trial, and to have counsel assigned them. By direction of the Lord Chief Justice, Thomas F., known as "General" Bourke, was the first placed at the bar. His Lordship then informed him that the grand jury had found bills of indictment for high treason against him; that he was entitled to copies of the indictment, lists of the jurors, and of the witnesses against him; also, that he would have ten clear days to consider his defence, and was at liberty to name two counsel, who would be assigned by the court. Colonel Bourke selected Messrs. Butt and Downes as his counsel, and Mr. Lawless as his attorney.

The indictment found by the grand jury, which consisted of four counts, may be here condensed, as it refers not only to Bourke, but to other noted Fenians, whose names it preserves, and who will be referred to in subsequent chapters.

The first count sets forth the general charge against the accused, as follows: "The Jurors for our Lady the Queen, upon their oath and affirmation, do say and present, that Thomas Bourke, (otherwise called Thomas F. Bourke,) John M'Cafferty, (otherwise called William Jackson,) Edward Duffy, John Flood, (otherwise called John Phillips,) Patrick Meares, Patrick Doran, George Connolly, (otherwise called Francis Connolly,) Jarleth

Mooney, Henry Filgate, Thomas Joseph William Clarke, John Hughes, Joseph Wheelan, Christopher Byrne, Luke Fullam, Laurence Fullam, James Gorman, Terence Kelly, and John Beirne, being subjects of our said Lady the Queen, not regarding the duty of their allegiance, nor having the fear of God in their hearts, but being moved and seduced by the instigation of the devil, as false traitors against our said Lady the Queen, and wholly withdrawing the allegiance, fidelity and obedience, which every true and faithful subject of our said Lady the Queen should and of right ought to bear towards our said Lady the Queen, to wit, on the 11th day of July, in the year of our Lord one thousand eight hundred and sixty-six, and on divers other days, as well before as after that day, to wit, at the Parish of St. Peter, in the County of Dublin, maliciously and traitorously, together with divers other false traitors, to the jurors aforesaid unknown, did compass, imagine, devise and intend to depose our said Lady the Queen from the royal state, title, power and government of this realm, and from the style, honor and kingly name of the Imperial Crown thereof, and to bring and *put our said Lady the Queen to death*; and the said treasonable compassing, imagination, device and intention, maliciously and traitorously did express, utter, declare and evince, by divers overt acts and deeds, hereinafter mentioned, that is to say, in order to fulfil, perfect and bring to effect their most evil and wicked treason and treasonable compassing, imagination, device and intention aforesaid, they, the said Thomas Bourke, etc., as such false traitors as aforesaid, after-

wards, to wit, on the 11th day of July, in the year of our Lord one thousand eight hundred and sixty-six, and on other days, as well before as after that day in the United States of America, did conspire, consult, consent and agree with James Stephens, John O'Mahony, Colonel Kelly, General Cluseret, Doran Killian, James J. Rogers, General Mullen, General Vifquain, General Fariola, General Condon, Colonel Quinlan, Colonel Henry Quinn, Colonel Patrick Leonard, Major O'Dowd, Captain McClure, Captain Fitzharris, Captain Gleeson, Captain Burke, Captain O'Brien, Major Delahunt, Captain Nolan, Captain Bible, Captain Hennessy, Captain Mackay, Captain Deele, Captain Moran, Captain Dunn, Captain O'Neill, Captain Joyce, Captain Corrigan, Captain Doheny, Captain Gibbons, Captain Murtagh, and divers other false traitors, to the jurors aforesaid unknown, to move and stir certain foreigners and strangers, to wit, certain citizens of the United States of America, and persons resident in America, with force and arms, to invade that part of the United Kingdom of Great Britain and Ireland called Ireland. And further to fulfil, perfect and bring to their most wicked treason and treasonable compassing, imagination, device and intention aforesaid, they, the said Thomas Bourke, etc., as such false traitors as aforesaid, afterwards, to wit, on the 11th day of February, in the year of our Lord, one thousand eight hundred and sixty-seven, and on divers other days, as well before as after that day, maliciously and traitorously did make divers journeys, and did go into that part of her Majesty's dominions called England, and, to wit,

at Chester, in the shire of Cheshire, did collect and bring together a great number of false traitors, to the number of three thousand, in order to raise rebellion and insurrection therein, and to seize on, take, and carry away a quantity of guns, pistols and other military weapons, the property of her Majesty, wherewith they might the better arm themselves, and fight against the troops and soldiers of our said Lady the Queen."

The next section of the first count charges that the accused did conspire with the persons named, and other false traitors, to raise, levy and make insurrection, rebellion and war against the Queen, and "with force and arms, at the Parish of Tallaght, in the County of Dublin, maliciously and traitorously did arm themselves with, and bear and carry certain weapons, that is to say, guns, pistols and pikes, with intent to associate themselves with divers other false traitors, armed with guns, pistols and pikes, whose names are to the said jurors unknown, for the purpose of raising, levying and making public insurrection, rebellion and war against our said Lady the Queen, and of committing and perpetrating a cruel slaughter of and amongst the faithful subjects of our said Lady the Queen, within this realm."

The subsequent sections charge the prisoners with having attacked the police at Glencullen, Stepaside, Kilmallock, Ballyknockane, Ballyhurst and Drogheda.

The second count repeats the same overt acts as in the first count, omitting the words "being subjects of our Lady the Queen, not regarding the duty of their allegiance," and the words "wholly withdrawing the

allegiance, fidelity and obedience which every true and faithful subject of our said Lady the Queen should and of right ought to bear towards our said Lady the Queen."

The third count charges that the accused and others did traitorously assemble and make war against the Queen in the County Dublin; and the fourth again sets out the illegal acts relative to the attack upon the police barracks at Glencullen, etc., where the accused "did arm and array themselves in a warlike manner, and did then and there make a warlike attack upon and fire at a body of constables, then and there lawfully assembled in the due execution of their duty, and then and there did make a warlike attack upon a certain dwelling-house and barrack, in which divers constables of her Majesty then were, and did call on and demand said constables to surrender to the Irish Republic, and did fire upon said constables, and then did compel the said constables to surrender the said house to them, the said traitors."

In the list of witnesses to be produced by the Crown, against the prisoners indicted for high treason at the Special Commission, and to be resumed on Wednesday, the 24th of April, when the trial of the Fenian prisoners would proceed forthwith, were the following persons connected with the United States of America. They are thus described, amongst over two hundred others: Patrick Condon, otherwise called Godfrey Massey, formerly a colonel in the Confederate Army of the Southern States of North America; afterwards a canvasser for a commercial house in New Orleans, and

at present no occupation; formerly Phelan's coffee-house, at New Levee, in the city of New Orleans, America; afterwards Tavistock street, in the county of Middlesex, in England, and now the office of the Metropolitan Police, Lower Castle Yard, county of the city of Dublin. John Joseph Corydon, formerly a lieutenant in the United States of America, and at present no profession; late the Commercial Hotel, Islington, Liverpool, in England, and now the station of the Metropolitan Police, Chancery lane, county of the city of Dublin. John Devany, formerly a clerk in a mercantile establishment in New York, and at present no profession; late Ridge street, New York, in the United States of America, and now the station of the Metropolitan Police, Chancery lane, county of the city of Dublin.

The trial commenced on the 24th of April. The following evidence was elicited:

It was proved by one Edward Brett, a servant of Mr. James Bartel, of Thomastown, that having been sent for bread on the morning of the 6th March, he was stopped on his return, and from statements made to him he brought the bread to Ballyhurst Fort, where Bourke, who was lame, distributed it among the men. Sub-inspector Wm. Kelly, who had seen Bourke in the month previous, described him as "a man with a broken up constitution, and not capable of much physical exertion.

William Woodworth, color-sergeant 31st Regiment, examined: I was stationed at Tipperary, on the afternoon of the 6th March last. I went out with about sixty men to Ballyhurst Fort. I saw

a large number of men emerging from it in twos and threes. As we approached the fort, we were fired upon by men in the fort. I saw a single horseman in the fort. He moved away in an oblique direction from the rest of the mob. As he rode away he was fired upon by several of the men. I observed him fall or dismount from his horse. We closely pursued him. Privates Squires and Dickens were under my command. With me they overtook him behind a hedge. I identify that person as the prisoner Bourke. He had a stick in his hand and appeared to be lame. I did not lose sight of him from the time I first saw him until he dismounted. There were no persons near him but soldiers when we arrested him.

Wm. Roberts, color-sergeant 31st, deposed that he searched the prisoner Bourke, and found with him a pocket-book and two documents. In the pocket-book was inscribed the following oath: "In the presence of Almighty God, I solemnly swear that I will not bear arms against, or by word or act give information, aid or comfort to the enemies of the Irish Republic, until regularly relieved of this obligation. So help me God." The two documents were lists of names.

On cross-examination the witness stated that the man on horseback was three hundred yards away from him when the men fired, and that at that distance he could not recognize him.

Another account, written on authority, varies little from the depositions on the trial, but sufficient to give Bourke full credit for the position in which he was captured, and says: "The force of the 31st, which acted there under Major Lynd, did not at first fire a single shot, but charged up a hill against the Fenian insurgents, intending to attack them with the bayonet. The latter bolted away, and the soldiers, after a long run after them, saw them gathered together at some distance off. Marksmen were then ordered to the front, and knelt down and fired, and several Fenians

were wounded. *It is not a fact that the rebel called 'Colonel' Bourke surrendered.* He was on a horse trying to rally his men when a sergeant took aim and fired at him, and it is supposed that he wounded the horse from which Bourke fell. Bourke was afterwards found on a truss of straw, and was arrested."

The evidence of the informers, Godfrey Massey, and John Joseph Corydon, on the trial of General Bourke, referring to many other Fenian heroes and martyrs, is given substantially in full from the reports, leaving out the questions which elicited the narratives. The same evidence in its main features was given by them on the trials of the others identified and convicted by them.

Patrick Condon, *alias* Godfrey Massey, was called.

On the witness ascending the table, the prisoner, General Bourke, changed his position in the dock, and looked Massey straight in the face, but the latter turned his eye aside. The witness stated that he was a colonel in the 2d Texas regiment, Confederate service, afterwards a canvasser for a commercial house in New Orleans; that he became connected with the Fenian Brotherhood about August, 1865, and went to New York in October, 1866. He first saw Bourke, whom he now identified, in the Central Fenian Office, 19 Chatham street, New York. He met Stephens there also. He continued: I was at a Fenian meeting in Philadelphia. Steps were there taken for the purpose of collecting war materials and money. An officer was appointed to take charge of the materials. The war materials were to be sent to New York, for shipment to Ireland. Stephens and I left Philadelphia and went to Washington. We there met some men belonging to the organization, and consulted them. I know that James Stephens was connected with the Fenian Brotherhood. That portion of it which began with John O'Mahony, was under his direction. I have known the prisoner, Bourke, as

Colonel Thomas Bourke, or Colonel Thomas F. Bourke, in America. I knew very well a person named Colonel Kelley. I gave money to Colonel Thomas F. Bourke. I gave him about £10 in London. I stated to him when I gave him the money the purpose, which was that he should come with me to Ireland to join the rising; that was some weeks previous to the 11th February last. He said that he had to leave London for Ireland on the evening of the day in which he would receive the money. After I left Washington, I went to New York. I arrived there before Stephens by a few days. On Stephens' return, there was a meeting of the Fenians held at New York. About the middle of December, 1866, there was a Fenian meeting held. Some of the Irish Centres were present. General Halpin was present. I cannot think of the names of all, but about thirty were present. I am not sure whether the prisoner, Colonel Bourke, was there. Stephens presided at the meeting. Stephens made a statement showing the amount of war material held by the Brotherhood at New York. He said that the amount was not one-seventh of the minimum fixed by himself. He said that the minimum was thirty thousand rifles. He objected to open the fight, as he had promised, but to prove his fidelity to Ireland, he offered to come over and put himself in the hands of the police authorities, and to be hanged. That proposition was scouted by every one, and it was determined that the fight should be opened. I knew a person named Captain M'Cafferty. He was at that meeting. Some evenings after that, Stephens convened another meeting. About twenty officials were present at that meeting. It was purely a military one. M'Cafferty wanted to know the plan of the campaign. Stephens did not like to mention it. I said that M'Cafferty was right, and supported his motion to divulge the plan of the campaign to his officers. That was what turned out afterwards to be the campaign for Ireland. At that meeting several of the officers said that they would leave on the next day, Saturday, for Ireland, and they did. There was a list of names of officers who were to go to Ireland made out. I got that list of names from Colonel Kelley. He then held the position of C. O. I. R. He was the deputy of Stephens. C. O. I. R. signified "Chief Organizer of the Irish Republic." After the time of the first meeting, some of the officers left for Ireland. I do

not remember the names of those who left for Ireland. After that meeting I attended a meeting at Stephens' lodgings, West Eleventh street. James Stephens was present, so were Colonel Kelly, Captain O'Shea, and others. I know the district of Manhattan. At a subsequent meeting, Stephens was deposed and repudiated, and Colonel Kelly was put in his stead. I left New York on 11th January of the present year. I took shipping for England, from Portland, in the State of Maine. Before leaving New York, I received from Colonel Kelly £550 in gold, (British money,) to be distributed among the officers in Ireland. The list I referred to a few minutes ago, I destroyed. When I arrived here I met the officers whose names Colonel Kelly disclosed to me, and in accordance with instructions I gave them the moneys. I arrived in Liverpool on the 26th January, in the present year. I remained there for a day, and then proceeded to London, where I stopped at private lodgings until the 11th February. Amongst the officers whose names Colonel Kelly disclosed to me, and whom I met in London, was the prisoner, Thomas Bourke, who was appointed to the Tipperary district. Captain O'Brien and Dominick O'Mahony were officers for Cork. Captain Deasy was for the Mill-street district. A man named Joyce was officer for Fermoy. General Halpin was for the Dublin district. I do not know that there was any one mentioned for Louth or Drogheda. Colonel Kelly lodged in 5 Upper Crescent street, London. I saw there General Fariola, a Franco-Italian, and a person named Cluseret. I knew General Halpin well. I saw there Beirne or O'Beirne, from Dublin, Mahony, from Cork, and Harbison, from Belfast, who said they were delegates or representatives of the Fenian Brotherhood in Ireland. I gave them money; £30 would cover what each got. I stated to them that the money was given for the support of the organization. At that meeting an address was drawn up conjointly by three. It was discussed as they went along—that is, paragraph by paragraph. It spoke about the wrongs of Ireland, and called upon the people to take up arms, and invoking the sympathy and aid of the working men of England. I came to Dublin on the 11th February. There was a meeting of Centres held the next day. O'Beirne was there. The Centres stated the numerical strength, material of war, and the number of arms held by each. I

took the returns myself of the respective Centres then and there assembled.

What did they state the numerical strength was? About fourteen thousand.

And the material of war and arms? About three thousand stand of arms—to consist of rifles, guns and pikes. The next day I went into the county Mayo, first to Castlebar, then to Westport, where I stopped one night. I then returned to Dublin, thence to Cork, where a Fenian meeting was held on the outskirts of the town, convened by O'Mahony, the same I gave the money to in London. The numerical strength given me in Cork, was twenty thousand men, and about one thousand five hundred weapons, the vast majority of them pikes. I left Cork the next day for the town of Tipperary, for the purpose of acquiring a knowledge of the country for military purposes. I next returned to Dublin, and then left for London. I went to Colonel Kelly's lodgings. Kelly gave me some more money to be distributed. He told me the rising was fixed for the 5th of March, that being the anniversary of the day on which some of the persons taken in Canada were sentenced to be executed. Told me that the railroad centres were to be destroyed, if they could not be held by the insurgents. A guerrilla war was to be maintained, and the railways destroyed by the insurgents. I left London on the morning after my arrival, and returned to Dublin, for a day or two. I then went to Mullingar, for military purposes. On my return to Dublin a meeting of Fenian Centres was held, at some distance from Porto Bello Barracks. O'Beirne was there. Told him the night of the 5th March was fixed for the rising. On the next day went to Cork, where I saw O'Mahony, to whom I said that the 5th of March had been fixed upon for the rising. Soon after I left Cork, and went to the Limerick Junction, where I was arrested, on the railway platform, on the night of the 4th March.

On the cross-examination, Counsellor Butt forced Massey to acknowledge the disgrace both of his mother and wife. He proved he was the illegitimate son

of the former by one Massey, and that the latter pressed him to become an informer.

The statement of the other wretch, Corydon, whose brazen *nonchalance* was quite in keeping with his degradation was as follows:

I was a lieutenant in the Federal army; I became a member of the Fenian Brotherhood in the summer of 1862; I was then in the Federal army; I took an oath when I joined the organization; Patrick J. Condon was the person who administered the oath to me; he went by the name of O'Dell; I last saw him on the Saturday night previous to the rising; I remained nearly four years in the Federal army; I left it in July 1865; I attended Fenian meetings while I was in the Federal army; I met Condon, Gleeson, Colonel Burke, and Lieutenant Joyce; the prisoner at the bar is not the Colonel Bourke I mean; I remained in New York about a month after the army was disbanded; I attended the Fenian headquarters nearly every day while I was in New York; they were in Duane street; John O'Mahony was the head of the organization; I met Colonel Downing and several officers in Duane street; I was sent by John O'Mahony to James Stephens in August; I was not the bearer of any despatches; I was accompanied by four other persons connected with the Fenian organization; their names were Major Martin Wallis, Captain Michael O'Brien, Edward O'Byrne and Thomas O'Connor; we went to Liverpool, and from that we came to Dublin. In Dublin I attended a Fenian meeting at Denieffe's house in North Anne street; it was attended by James Stephens, O'Donovan Rossa and others; I said to Stephens we were desired by John O'Mahony to report ourselves to him; he told us to find lodgings, and that he would know where to find us; I remained in Dublin till November, 1865; while here I heard of James Stephen's arrest; I know Colonel Kelly; he was at that time an officer in the Fenian Brotherhood; he told me that the purport of the despatches was that Stephens would be out of jail in five or six days; I mean out of Richmond; I went to New York by the Scotia on the 19th November; I saw

O'Mahony and many other Fenian officers; we had a meeting when I arrived, and we gave the tidings of the expected escape of Stephens; the prisoner Bourke was there; I had been introduced to him in Union-square; I came back to Ireland; the announcement of Stephen's escape was made while I was there; Bourke was an organizer for Manhattan, and he urged the men to unity, and said when Stephens could get out of an English jail what could not people outside do in accomplishing the objects for which they were banded; I came to Queenstown on the 22nd December; I went to Cork, and from thence to Dublin; I remained in Ireland one night; I delivered my dispatches to Colonel Kelly in Heytesbury street; I got dispatches from Kelly to O'Mahony, and went to New York again, where I saw Bourke; in January, 1866, I came to Liverpool, and thence to Dublin; I remained here until April; I know McCafferty; he was introduced to me as a Fenian; I last saw McCafferty in the prisoner's van; he was described to me as an officer of the organization, and one of the guerrillas of the Southern States; I met several other prominent Fenians, including Kelly, Col. Bourke, John Flood, Capt. Doherty, Major Quinn, &c.; I saw McCafferty in Dublin, in the latter end of January or February; I met also Edward Duffy; in April, 1866, I went to Liverpool and remained there until February last; I received pay from the funds of the Fenian brotherhood; the paymaster was Capt. O'Rorke, who went by the name of Beecher; we received orders to be prepared to move on to Chester; our orders were at first to remain quiet until we would be told to move; I next saw the prisoner in the early part of January, 1867, in Birchfield street, in Liverpool; it was then stated that he came from America; I met persons who had come from America with him; they were Captain or Colonel Dunne, John Joseph Rogers, Harry Miledy, who went by the name of Shaw, and some others; I met those people at a meeting in Birchfield street; the prisoner Bourke was at that meeting; he stated that they came over for the purpose of fighting, and it was useless to think any longer that Stephens would fight, for he would not; I met John McCafferty in Liverpool, in February, 1867; I met him on more occasions than one; I remember a meeting being held in Liverpool in the latter

end of January, 1867, or beginning of February, for the purpose of forming a directory; that was after Bourke had left; another man named Bourke was there and a man named Nolan; Captain O'Rorke, *alias* Beecher, was there, and presided; he said he came from London to Liverpool, to know if the American officers were in favor of forming a directory; he said they were forming a directory and M'Cafferty and he were in it, and he wanted to know would they sanction M'Cafferty's appointment and also a man named Flood; I next saw M'Cafferty a few days before the Chester affair; Flood and all the American officers in Liverpool were there; the meeting was held at the house of a man named Walsh in Edgar street; M'Cafferty and Flood said they were sent from the directory in London, with money to pay their way to Chester; they said that the American officers in Liverpool would go to Chester; that the castle there was to be attacked, the arms seized, a train seized, and the arms put into it of course; the rails were to be taken up and the wires also, and they were to proceed by train to Holyhead, where they would seize the mail boat and land in Ireland; that plan was agreed to at the meeting; no arrangements for carrying it out were made; after the meeting separated, and on the Sunday before the Monday, I gave information to the authorities in Liverpool, I made arrangements to go to Chester; all the American officers, about twenty, went to Chester; I saw them at Birkenhead; I went there with them; I met Austin Gibbons, one of the American officers at Birkenhead; a countermand of the order to march on Chester was given by Gibbons; he told me that the thing was "sold;" that some one had informed; he said that M'Cafferty sent to him to tell them all in Liverpool that the thing was "sold," and they were to go back; after that, late in February, I got orders to come to Dublin; I remained there until the intended rising; I came to Dublin; I knew Colonel Godfrey Massey; I saw him after I came to Ireland; I was ordered to go to Millstreet, (Cork); I was so ordered by Massey and Duffy; I was told to go to Millstreet and see the "Centre" there, a man named Kearney; that he would give me instructions how to act, and through him to find my way to Colonel O'Connor in Kerry; I was desired to tell O'Connor about the rising to take

place on the 5th of March; in case I could not see O'Connor, Kearney was to get me introduced to the "Centre," near Milltown, county Kerry, and I was to take the command; my party was to blow up bridges, tear up the rails and telegraph wires, and "break banks," and if possible, we were to go as far as Rathkeale in the county of Limerick; I saw General Halpin in Dublin before I left for the south; I also saw the other man Bourke; I received £3 from Duffy before I left; I went to Millstreet on the 4th of March; I saw Kearney; he told me to go back to the city of Cork and see a man named Michael Murphy, who would probably give me instructions about O'Connor; I went to Cork that night; I saw Michael Murphy; he sent me to Dominick Mahony, the Head Centre for Cork; did not see Massey in Cork; M'Mahon told me he was in Cork at that time; I saw Captain O'Brien, Captain Condon and others in Cork; Condon was in Military command at Cork; he told me to go to Middleton; I remained in Cork till Monday, the 4th of March; I left by the morning train; I met Massey's messenger; he told me that Massey was coming by the 12 o'clock train to Limerick Junction; I came to Dublin, and arrived about 4 o'clock; I went to the Lower Castle Yard, and gave information to the authorities; I saw Massey next a prisoner; I first began to give information to the authorities in Liverpool in September, 1866.

On the 1st of May, the Chief Justice charged the jury, which after having been out from half-past three to five minutes before six o'clock, brought in a verdict of guilty. Having been asked the usual question, if he had anything to say why judgment and execution should not be pronounced, the prisoner, says the report, who spoke throughout in a clear, firm and impressive manner, and whose style of expression was manifestly that of a man who possessed a refined and educated mind, said:

My Lords, it is not my intention to occupy much of your time in answering the question why the sentence of the court should not now be passed on me. But I may, with your permission, review a little of the evidence that has been brought against me. The first evidence that I would speak of, is that of Sub-Inspector Kelly, who had the conversation with me in Colonel, in Tipperary. He states that he asked either "How was my friend," or "What about my friend Stephens," and that I made answer and said he was the most idolized man that ever had been, or ever would be, in America. Here, standing on the brink of my grave, in the presence of the Almighty and Ever-Living God, I brand that as being the foulest perjury that ever man gave utterance to. No such conversation ever occurred. The name of Stephens was not mentioned. I shall pass from that, and then touch on the evidence of Britt. He states that I assisted in distributing the bread to the parties in the fort, and that I stood with him in the wagon or cart. That is also false. I was not in the fort at the time at all; I was not there when the bread was being distributed. I came in afterwards. Both of these assertions have been made, and submitted to the men in whose hands my life rested, as evidence, made on oath, by these men—made solely and purely for the purpose of giving my body to an untimely grave. (The prisoner here, evidently to refresh his memory, looked at a little bit of paper in his hand, on which he had taken a few notes of the evidence during the trial.) There are many points, my lords, that have been sworn to here, to prove my complicity in a great many acts, it has been alleged I took part in. It is not my desire now, my lords, to give utterance to one word against the verdict which has been pronounced upon me. But fully conscious of my honor as a man, which has never been impugned—fully conscious that I can go into my grave with a name and character unsullied—I can only say this: that these parties, actuated by a desire either for their own aggrandizement, or to save their paltry, miserable lives, have pandered to the appetite, if I may so speak, of justice; and my life shall be the forfeit. Fully convinced and satisfied of the righteousness of my every act in connection with the late revolutionary movement in Ireland, I have nothing to recall—nothing that I would not do again—nothing that would bring up the blush of shame to man-

tle my brow; my conduct and career, both here and in America—if you like, as a soldier—are before you, and even in this my hour of trial, I feel the consciousness of having lived an honest man; and I will die proudly, believing that if I have given my life to give freedom and liberty to the land of my birth, I have done only that which every Irishman and every man whose soul throbs with a feeling of liberty should do. I, my lords, shall scarcely—I feel I should not at all—mention the name of Massey. I feel I should not pollute my lips with the name of that traitor, whose illegitimacy has been proved here; a man whose name even is not known, and who I deny point-blank, ever wore the star of a colonel in the Confederate army. Him I shall let rest. I shall pass him, wishing him, in the words of the poet—

"May the grass wither from his feet;
May the woods deny him shelter—earth, a home;
The ashes a grave; the sun his light;
And Heaven its God."

Let Massey remember from this day forth, he carries with him, as my learned and eloquent counsel (Mr. Dowse) has stated, a serpent that will gnaw his conscience—will carry about with him in his breast a living hell, from which he can never be separated. I, my lords, have no desire for the name of a martyr. I seek not the death of a martyr; but if it is the will of the Almighty and Omnipotent God that my devotion to the land of my birth should be tested on the scaffold, I am willing there to die in defence of the right of men to free government—the right of an oppressed people to throw off the yoke of thralldom. I am an Irishman by birth, an American by adoption, by nature a lover of freedom, and an enemy to that power that holds my native land in the bonds of tyranny. It has so often been admitted that the oppressed have a right to throw off the yoke of oppression, even by English statesmen, that I deem it unnecessary to advert to that fact in a British court of justice. Ireland's children are not—never were—and never will be—willing or submissive slaves, and so long as England's flag covers one inch of Irish soil, just so long will they believe it to be a Divine right "to conspire, imagine and devise" means to hurl it from power, and erect in its stead the God-like structure of self-government. Before

I go any further, I have one important duty that I wish to dispose of. To my learned, talented and eloquent counsel, I offer that poor gift—the thanks—the sincere and grateful thanks of an honest man; I offer him, too, in the name of America, the thanks of the Irish people. I know that I am here without a relative—without a friend, in fact—three thousand miles away from my family. But I know that I am not forgotten there. The great and generous Irish heart of America to-day feels for—to-day sympathizes with, and does not forget the man who is willing to tread the scaffold—aye, defiantly—proudly conscious of no wrong—in defence of American principles—in defence of liberty. I now, to Mr. Butt, Mr. Dowse, Mr. O'Loughlin—all my counsel, one of whom was, I believe, Mr. Curran—and my able solicitor, Mr. Lawless—I return to them, individually and collectively, my sincere and heartfelt thanks. I shall now, my lords, as no doubt you will suggest the propriety of, turn my attention to the world beyond the grave. I shall now look on to that home where sorrows are at an end—where joy is eternal. I shall hope and pray that freedom may yet dawn on this poor down-trodden country. That is my hope and my prayer; and the last words I shall utter will be a prayer to God for forgiveness, and a prayer for poor old Ireland. Now, my lords, in relation to the other man, Corydon, I will make a few remarks. Perhaps before I go to Corydon, I should say, much has been spoken on that table of Colonel Kelly, and of the meeting held at his quarters or lodgings in London. I desire to state, I never knew where Colonel Kelly's lodgings were, and I never knew where he lived in London, until I heard the informer, Massey, announce it on the table. I never attended a meeting at Colonel Kelly's, and the hundred other statements about him, that has been made to your lordships, and to you, gentlemen of the jury, I now solemnly declare, on my honor as a man—aye, as a dying man—these statements to have been totally unfounded and false from beginning to end. In relation to the small paper that was introduced here and brought against me, as evidence, as having been found on my person, in connection with that oath, I desire to say, that paper was not found on my person, and I knew no person whose name was on that paper. O'Byrne, of Dublin, or those other persons you have heard of, I never saw

nor met. That paper has been put in there for some purpose. I can swear positively it was not in my hand writing; I can also swear I never saw it, yet it is used as evidence against me. Is this justice? Is this right? Is this manly? I am willing, if I have transgressed the laws, to suffer the punishment; but I object to this system of trumping up a case, to take away the life of a human being. True, I ask for no mercy. My present emaciated form—my constitution somewhat shattered—it is better that my life should be brought to an end, than to drag out a miserable existence in the prison pens of Portland. Thus it is, my lords, I accept the verdict. Of course my acceptance of it is unnecessary; but I am satisfied with it. And now I shall close. True it is there are many feelings that actuate me at this moment. In fact, these few disconnected remarks can give no idea of what I desire to state to the court. I have ties to bind me to life and society, as strong as any man in this court. I have a family I love as much as any man in this court does his. But I can remember the blessing received from an aged mother's lips, as I left her the last time. She spoke as the Spartan mother did—"Go, my boy. Return either with your shield or upon it." This reconciles me. This gives me heart. I submit to my doom, and I hope that God will forgive me my past sins. I hope, too, that inasmuch as He has for seven hundred years, preserved Ireland, notwithstanding all the tyranny to which she has been subjected, as a separate and distinct nationality, He will also retrieve her fallen fortunes—to rise in her beauty and her majesty, the sister of Columbia, the peer of any nation in the world.

The prisoner here ceased, and stepped back from the front of the dock, just as calmly as he had advanced to it, but with perhaps a slight additional lustre in his eye, and a heightened color. Throughout he never hesitated for a word, but spoke slowly, distinctly and deliberately, to the end. He was listened to throughout with breathless anxiety. A murmur of applause and delight with his eloquent and touching address,

arose amid the audience, as he stepped back, but it was, of course, instantly suppressed by the officials.

The sentence of the law for high treason was then pronounced, that the prisoner be hanged, drawn and quartered, on Wednesday, the 29th May.

In appearance, Thomas Francis Bourke was striking, even though enfeebled by disease. About five feet ten inches in height, with a slight stoop recently contracted, his earnest manner gave his actions a spirit of enthusiasm which was greatly heightened by his eye (full but not prominent), when anything occurred to stir his natural genius. He was deeply imbued with a religious feeling, both of sentiment and action. On the night before his trial he wrote the following strong, touching, and beautiful letter:

DEARLY BELOVED MOTHER: Long before this reaches you, my sentence, I presume, will have been made known to the American world by the Atlantic cable. This is the night before my trial, and what that sentence may be I do not know; but I am resigned and prepared to meet, *in a manner that becomes your son* and my own manhood, whatever God in his mercy has destined for me. in Him are all my hopes, and He will not desert me in my hour of trial, nor you in your deep affliction! O, my dear, dear mother! there is only one thought that almost unmans me, and that is, I, who was only happy in your happiness, should, in your declining years, cause you even a moment's pang of sorrow! But, as this transitory life is at best, but a vale of tears and suffering, you have before your eyes the grief and unspeakable affliction of that Holy Mother who gave up her Divine Son to crucifixion for the redemption of man's immortal soul; and she who is now a mother to me, will be to you the Refuge and Comforter of the Afflicted.

Again, here is the record of a loving thought and comforting fact:

"I have carefully guarded and preserved the *Agnus Dei* which you suspended round my neck at our parting * * * On last Easter Sunday I partook of Holy Communion at a late Mass. I counted the difference of time between this longitude and yours, for I knew that you and my dear sisters were partaking of the Sacrament at early Mass on that day, as was your wont, and I felt that our souls were in communion together!"

As anything relating to the young hero is entertaining, and especially all that illustrates his internal nature, the following reminiscences of one who obtained admission into his cell in Kilmainham Jail, while under sentence of death, will be particularly appropriate and interesting:

"A warder paced without in the passage. I went over and looked within, and lying on a hammock, with a little table beside him, upon which stood a crucifix, a vase of holy water and some books, was the nearest of the 'Irish felons' to death.

"His quick eye noted me at once. He had a book in his hand. He laid it down. He raised himself by a cord attached to the lower end of his couch. I took it as an invitation to enter, and I beckoned the warder.

"The door was unbarred, and I walked forward. A few words were responded by me, and I sat down. The hammock in which he lay was swung from iron hooks fastened in the walls of his cell, and extended transversely across that apartment. Beyond was the straw pallet in which the prisoner used to lie at night.

The book which he had been reading on my entrance lay open upon the couch. I looked at its heading, and it was the 'Preparation for Death,' by St. Alphonsus Ligouri.

"I saw no change in Thomas Bourke the condemned and Thomas Bourke on trial. Self-possessed and calm as ever, he spoke quietly, firmly and gently. His observations were given almost invariably in reply. In the life of the informers he could see nothing worth living for, when they had outlived their honor and foreswore their oaths; so he gave his dictum, and I believed him. I spoke of his worn and enfeebled state of health, for I had special reasons for so doing. He told me it was his souvenir of a gallant fight; two bullet wounds had passed through his leg near the upper thigh of the thigh. The hospitals were crowded with wounded, and although he got as much 'care as possible,' still he was not so well cared as, 'under other circumstances he would be,' and the muscles of his leg sloughed away, until, he said, when the wound healed, "the skin alone covered the bone." And so, truly, it was; from his thigh to about ten inches above the knee there was only the bone covered with thin and seamed skin. There was one topic more upon which I started, and that was the most important topic—death was near him. I shall not tell how I neared that great subject, but well I remember his reply. 'There is a little book,' he said, 'which has taught me much, and one thing it has taught me beyond all; the longest life is not the best life. You read,' he said, 'the Imitation of Christ.' An hour

goes by very fast in the cell of a man whose hours are numbered by the law, and my hour with Thomas Bourke fled faster than I dreamed. Much he spoke, and much I learned from others of him, but all he said only fixed the picture I drew of him deeper in my mind, that a better and nobler soul never existed upon the earth.

"They have spread reports of his bearing and treatment since his imprisonment, which are neither respectable fiction nor stray fact. It has been asserted that he has left a wife and family in New York; that he has been allowed every delicacy which he required, and nothing has been refused to him; that the Sisters of Charity were in constant attendance upon him—and to all those assertions *I give a flat contradiction*. Thomas Bourke never was married, he has no wife, no children. He leaves behind him in America a dear and venerable mother, and as dear sisters, and of all of whom he was the prop and stay. When he was convicted and sentenced he was placed upon the diet which the law allows, and no more, and that diet is *but bread and water*. Afterwards, he received the diet of the ordinary prisoners, and no other delicacy. The Sisters of Charity never were in attendance upon him; but the Sisters of Mercy, from Goldenbridge, visited him upon one of the last days of his stay at Kilmainham, and I believe did so at the request of the Very Rev. Mr. Kennedy, the chaplain of the jail. Now, little as all those items in the strange eventful history of General Thomas Bourke may seem, there is a necessity that there should be no mistake about

them; and when I add that his manner, his kindliness, his gentleness, and his unobtrusive courage impressed all around him with a high idea of his character, I have given to public record much, though not all, of what I learned in an hour in the jail and cell of Thomas Bourke when he lay there condemned to die." Subsequently the sentence of death was commuted to perpetual imprisonment.

COLONEL THOMAS J. KELLY.

Birth and Youth—A Printer—Famous Printers—Starts the *Nashville Democrat*—Flies from Tennessee for his Union Faith—Joins the Army in Cincinnati—Wounded—Promoted—Signal Officer on General Thomas' Staff—Health Broken—Enters the Fenian Cause—First Military Envoy to Ireland—On Tour of Inspection—Supervises Stephens' Escape—Labors in America—Difference with Stephens—Returns for the Fight in Ireland—Letter on the Aims of the "Provisional Government."

COLONEL THOMAS JAMES KELLY, whose name is so frequently alluded to in the evidence of Massey, and who became Chief Organizer after the retirement of Stephens is a man of marked ability, various resources and untiring energy; a clear thinker, and a sagacious worker, he has also displayed a very remarkable adroitness in his movements in England and Ireland. While managing the details of the organization, he has baffled the watchfulness of the authorities, and even when his residence was betrayed to the Government, he managed by that restless foresight which amounts to intuition, to change his whereabouts and to evade up to the present the attentions of the police. The dangers through which he passed in America, as an officer in the signal service during the war, concentrated the self-reliance which has been of such use to him in the service of Ireland. A follower of the art preservative of all arts, the knowledge gained as a

printer and journalist has stood him in good need on the emergencies into which his patriotic duties led him.

Thomas J. Kelly was born in Mount Bellew, county Galway, in 1833. His father belonged to the farming class and brought up his son for the Church. On this account he received a better education than is generally the lot of young men in similar circumstances. Not having a vocation for the clerical profession, his father wisely bound him to the printing business in Loughrea. Finding the prospects before him too circumscribed for his aspiring mind, young Kelly started for America, and arrived in New York when but eighteen years of age. Like most young men on their first arrival here, he had to encounter those buffetings which almost invariably fall to the lot of the inexperienced in a new country; but with his usual persevering industry, he overcame them, and got good employment at his profession as printer. He soon rose in the estimation of his employers and in the good opinion of his brother craftsmen, among whom he was quickly distinguished for his integrity and ability. He was a prominent and active member of the Printer's Union, and members of the craft now refer to him as another evidence of the ability which distinguish Printers when they enter public life. The eminence to which the followers of Gutenberg and Faust, of Etienne, and Caxton, have arisen, is a favorite and prolific theme with the crafts-brethren. This is not to be wondered at, or checked, when we consider the philosophers, poets and historians, on the muster-

roll—the Franklins, Berangers, Michelets, and in our own days, the Greeleys, Colfaxes, and others, not to mention those of a military turn, like Marechal Brune, who, graduating from the composing stick to the baton of France, distinguished himself by driving the English and Russians from Holland, and against the Austrians on the plains of Italy. Truly may the printers be proud of the men who have done honor to the profession, and it was extremely pleasing in this connection to hear some of the craft refer to Kelly, as one who illustrated the force of character, ready resources, sagacity and honesty, which are claimed as characteristic of its best representatives.

On his arrival in New York, young Kelly, having a predisposition for military matters from boyhood, was delighted with the advantages offered by the National Guard, and companies of citizen soldiery. He of course joined a military organization, and in time identified himself with every movement tending to exalt his countrymen in the social and moral scale. The moment a true young Irishman gets a weapon into his hand, his first thought is for Ireland, and the more he learns the use of it, the more intense is his desire to use it against England. Kelly had this natural feeling, and became an active member of the Irish Society which had produced the Fenian Brotherhood—that known by the significant title of “The Emmet Monument Association.”

In 1857, at the recommendation of some friends, Mr. Kelly went to Nashville, Tennessee, where he soon afterwards started the Nashville *Democrat*, which

ably supported the Presidential claims of that noble patriot, Stephen A. Douglas, during the exciting political campaign of 1860.

Mr. Kelly continued to be a warm and fearless supporter of the Union cause, and when the rebellion broke out he was obliged to leave. These were the terrible days when terrorism ruled in Tennessee, and when the Legislature in secret session, and without waiting for the people to vote on the question of secession, placed the power of the State at the disposal of the "Southern Confederacy." By the machinery of mobs and vigilance committees dextrously worked, night and day, thousands of Union men were forced to fly from the State. "We have seen scores of the best men of Tennessee," said a competent authority, writing at the time, "within the last few days, and they all bear witness that in their belief, the reign of terror now raging and maddening in that State, has had no parallel in modern history. There is less of personal freedom, there is more of atrocious and horrible tyranny in Tennessee at this time, than would be found under the worst and most wretched government of Asia, or the savage islands of the sea." At this time, Kelly was the last man to fly the starry flag in Nashville, over his printing office, and he had to fly so precipitately that he was unable to save his property, and therefore was again thrown on the world with nothing but his own strong will and industrious perseverance to rely upon. But he was not disheartened. He saw that a great war was in its inception, and that patriotism should meet its just reward. His

military spirit added to the feelings engendered by his treatment as a Union man. The declaration of Colonel Corcoran in New York, tendering the 69th Regiment for the defence of the Union, and calling for recruits, reached him, and he started with the intention of going to New York and joining it. When he arrived at Cincinnati, he heard of the enrollment of the 10th Ohio, an Irish regiment, and immediately joined its ranks as a private, and at the expiration of the three months' service, he re-enlisted for the war.

He had seen some active service in Western Virginia in his first campaign, and was severely wounded in one of the battles that followed. He was immediately promoted to a Second Lieutenantcy for gallant and meritorious conduct, but his wound rendered him unfit for service for some time. When able to return to his regiment he was selected for duty as Signal Officer on General Thomas' staff, with rank of Captain, a distinction which speaks for itself, especially when conferred by so able and discerning a commander.

The signal service was one of great importance, and imminent danger. From the nature of its proceedings little publicity was given to them. Tact, sagacity, quick perception, and persistency under all obstacles, were the requisites to make or distinguish an officer in this service. Oftentimes the signal officers, accompanied only by a few men, had to occupy a prominent isolated position on a mountain or hill, to telegraph their signals or respond to others. These positions were frequently exposed to rebel raids, and the officers were often overpowered or killed.

Captain Kelly discharged the duties of his position to the entire satisfaction of General Thomas, who complimented him for his ability and zeal. In camp he was a great favorite with his brother officers, on account of his agreeable manner, in their social hours, and his daring disposition in times of danger, made him relied on by the men. His regiment was finally mustered out of the service, having served its time honorably.

Almost broken down by hardships and exposure, Captain Kelly was unfit for active duty, and he retired with his regiment to recuperate.

About this time when he had helped to save the Republic of his adoption, circumstances led him to place his experience in the cause which designed to make a republic in his native land. By so doing he doubtless interfered materially with his future prospects, as he was offered promotion in the American service, and declined it to further the cause of Irish liberty. Being present at the Chicago Fair, to raise funds in aid of the Irish movement, he received much information concerning the progress of republican ideas in Ireland, and the desire of the Fenian Brotherhood there to take the field. He was so much impressed with what he heard, and believing he would be of positive benefit from the training he had undergone, he made up his mind to join the struggling band, came to New York, and placed himself and his experience at the disposal of the Brotherhood.

The result was, Captain Kelly was dispatched to Ireland as an envoy, the first who was sent in a mili-

tary capacity. Accredited to Mr. Stephens, the interview had a special influence on the future of both. They were immediately struck with each other. Kelly beheld an untiring, restless conspirator, with capacity to sway men's minds, in Stephens; Stephens acknowledged the blunt, honest and capable soldier, in Kelly. Becoming convinced of the power and influence of James Stephens, and finding him master of the occasion, Kelly became his devoted adherent. He was at once set to work, and deputed to make an inspection of the state of things in Ireland, and report on them on his return. His report was fully satisfactory. He stated that he was amazed at the ramifications of the Brotherhood in Ireland, and could not have believed it, only he had convinced himself by actual observation.

In all his transactions Kelly exhibited such a clearness of perception, and vigor of thought, such integrity of purpose and energy, that Stephens quickly recognized him as an invaluable agent in carrying on his organization scheme. He was employed in various offices, sometimes in visiting circles in different sections of the country, at other times in assisting Stephens in the executive management of affairs at home.

During these trying and dangerous missions the coolness and courage of the signal officer, were constantly brought into play, and he labored with a secrecy and caution that baffled the most vigilant detectives.

On the arrest of James Stephens, Capt. Kelly had to exert himself with unceasing ability. He had to meet the different centres who were impatient to

commence operations on the occasion, and to calm or make controllable the excitement that existed. The promises of support from America were so flattering that he did not think it prudent to give his consent to a rising then. Stephens, too, was opposed to an outbreak under the circumstances.

Captain Kelly supervised, if he did not originate the plans for Stephens' escape, which were so successful. The arrangements were admirably prepared, and Kelly, with a few friends, received the liberated prisoner outside of the jail walls, and conducted him to a place of safety, and baffled all search for him.

Most of the leaders were now in prison or sentenced to penal servitude. Kelly's activity bordered on the marvelous. He had to meet the different centres from the country to make their reports for it would create suspicion if too many were seen to visit the retreat of the Chief.

Of course, the particulars of the transactions of this period, or of Captain Kelly's important services cannot now be published. Suffice it to say, that he did good work which fully met the approval of the leading minds of the Brotherhood. When it became necessary for Stephens to visit this country to try and heal dissensions and unite all lovers of Ireland, all the preliminary arrangements were made by Captain Kelly. How he effected his object is fully stated in the following interesting letters :

PARIS, March 21, 1866.

MY DEAR —, When I parted from you on Tuesday night, you had not much idea of the heavy task before me. Yet now that all

is over it appears only to be a dream. Although you thought Mr. Stephens had left the country, he was in Dublin until that night, and, spite of all the vigilance of British spies, he left his lodgings on an outside car, got on board a vessel in the Liffey, and sailed for an English port.

It was amusing to me to see him pass several policemen on the quays, and walk deliberately on board. We were three days in the Channel owing to bad winds. We ultimately reached a port in Scotland, slept all night in Kilmarnock, rode in the mail train next day from there to London, slept in London, and (in the morning, in the heart of the enemy's city), after sleeping all night in a hotel across the street from Buckingham Palace (in the Palace Hotel), started by the morning train from the Victoria Station for Dover.

We got on board the French mail steamer there about eleven o'clock on Sunday, and started for Calais, which we reached in safety. Wasn't my mind happy when I touched French soil, and saw the Chief Organizer of the Irish Republic in a position to laugh at the blindly-mad, childlike efforts of the British to capture him.

After all the searches of ships and steamers outside of the Irish coast, so well were we informed of their every movement, that the affair was comparatively easy. The next time that James Stephens touches the Irish soil, he will show the British that their barbarous treatment of Irish patriots had added fuel to the national flame already kindled all over the island, instead of "stamping it out," as they propose to do. Sir Hugh Rose will find when he attempts to commit such devilish barbarities as those of which he was guilty in India, that he has not Sepoys to deal with. Let him order his soldiers to butcher women and children and gray-haired old men (as he threatened to do), and blow our soldiers from the cannon's mouth—let him dare carry out his black-hearted intentions toward the women of Ireland, and there will be such a retribution, not alone in Ireland, but in the heart of the British empire, as will not be paralleled in history. The enemy left no stone unturned to make us fight before we were ready; they played a desperate card and lost. Just wait and see the effect of the arrival of Mr. Stephens

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in America, and you will see I speak correctly. All is well for Ireland yet. Next Christmas I have confidence I will dine with you as a free and independent citizen of the Irish Republic. Kind remembrance. Yours, etc.

THOMAS J. KELLY.

PARIS, March 21.

DEAR MRS. — I have been remiss in not writing to you before this. Mr. Stephens and myself arrived here on Sunday last. We were enabled to make our trip with great ease. Just think how horribly stupid the enemy's agents are, when we were enabled to travel in the open day through Scotland and England—to embark at eleven in the day from the harbor of Dover.

After all the ship-searching, we started from the quays in the city of Dublin. Mr. Stephens left his lodgings on an open car, and, *on my honor, undisguised*. We had no easy time in the Channel, as we were kept there three days owing to adverse winds. We were driven to Carrickfergus Bay by stress of weather, and it was amusing to think how much the Mayor of Belfast would give to know what a distinguished guest he had. However, as the wind changed after being anchored all night, we did not make a call or leave our cards.

Yours, Very Sincerely,

THOS. J. KELLY.

Arrived in America, Colonel Kelly was the right hand man of his chosen chief. On the transfer of the management of Fenian affairs, Kelly, by circular of the 18th June, 1866, took charge of the Central Office. Towards the close of the year, the most intense anxiety permeated the Fenian body. Arrests continued to be made in Ireland, the hopes of an outbreak were rife. Its necessity was argued by the great majority, especially of the military men. Among them Colonel Kelly was prominent, and when Stephens did not

think the time auspicious, the former called a meeting on the 4th January, 1867, the facts of which being deemed official, are here given:

None but Centres and Delegates were admitted, and Colonel Kelly laid before the members a statement of the affairs of the organization, giving an account of James Stephens' conduct at the critical period when action was expected, pledging at the same time that the work was progressing favorably, and that the prospects of final success were promising.

The details of the plans and measures adopted were not made public, but the statement that all moneys received, were employed in carrying out the great work of Ireland's redemption, and that true and efficient men were ready at their posts for the work assigned, gave heart and purpose to the members present. Members of the Irish organization were present who stated that the men of the old land were willing and prepared for the final struggle; that now and hereafter, they would place no confidence in the words of this leader or that; that they at home, come what may, were determined to fight for their homes and nationality; that there was nothing left for the manhood of Ireland save paupers' graves or the emigrant ship; that their hopes, their honors and their lives were doomed forever, unless they succeeded in driving the English garrison from Ireland; and that the attempt would be made, come weal or woe. Nothing, they said, could be worse than the present condition of Ireland, and they are determined, and so are the MEN of Ireland, to put an end to it. The

want of action on the part of Stephens, in the face of his "uncalled-for promises" was the subject of severe criticism and condemnation, though his past services and great labors in the cause of Ireland were not forgotten or ignored in the disappointment and irritation of the moment.

Another meeting of Centres and officers of New York and vicinity, to the number of five hundred, was held on Sunday, the 6th, at which Kelly's action was sustained. The report says:

"When the defection of James Stephens was made known, and the action of Colonel Kelly to sustain the men who had already gone to maintain the national honor was ascertained, a vote of confidence in Colonel Kelly, as well as a determination to sustain the fighting men at home, was unanimously adopted."

Colonel Kelly was soon on the other side of the Atlantic. An outline of his action is given in the informer's evidence on Colonel Bourke's trial. It only remains to give the following translation of a letter which appeared in the Paris *Liberte*, after the result of the rising in Ireland, on the 5th March.

SIR: Permit me to say a few words in reply to an article entitled "The Insurrection of the Fenians," published by you in the *Liberte* of the 17th of March, 1867. M. W. de Foneville, the writer of the article in question, is certainly ignorant of our plans, our resources, and our principles, affirmed in a proclamation rendered public by the English, Belgian, and German papers. We have wished to efface from the opinion of the peoples the reproach of Castelfidardo, and give to the world a gauge of our Republican principles and our social aspirations. That is why we have inscribed in capital letters upon our proclamation the sentence—"We aim at founding a Republic based on universal suffrage,

which shall secure to all the intrinsic value of their labor." The national soil, the abolition of salaries, and the Republican form based on universal suffrage, such is what is desired by the Ireland of 1867, regenerated by the stay of its exiles in America. What has that in common with the programme of John Bright? Not even universal suffrage, which he is against. Why then, should you fasten us to the skirts of one man? We are a people and a principle—that is to say, the eternal and the absolute. Can a principle be vanquished? Why, therefore do you say we are vanquished? Did not Christianity commence by defeats? Did it not, like us, water the ground with the blood of its martyrs. Ours yield in nothing to those of the primitive ages, and if their voices, stifled in the dungeons of England, could come here to protest against your strange advice, and your still stranger criticisms, not one would use any other language than that which I use to you at this moment in their name and in the name of all proletarian Ireland. Our movement is only commencing, and is not about to finish. *As to battles, we shall avoid instead of seeking them until we are strong enough to gain them.* As for our alliance with the English Reformers, it is a *fait accompli*; if you doubt it, you have only to read the resolutions adopted at the last meeting. But by Reformers we understand those who mean to go radically to the bottom of the movement, and not those who officially assume the direction of it. I add that a nation and a principle are strong enough to await all from time without ever claiming extenuating circumstances, even from the generosity of another nation. The insurrection, or rather the revolution, follows the course it ought to follow. Compromised for an instant by the unskilful zeal of some leaders, who, like us, love to give battle, it has resumed its tranquil course; men no more die of hunger and cold than fear the English flying columns; and the reform of Mr. J. Bright will not prevent any member of the organization from being at his post, or from doing his duty in conformity with the orders of the provisional government. I avail myself of this circumstance to appeal to the sympathy of the generous people of France in favor of our cause. I am, &c.,

THOMAS J. KELLY.

Many details of Colonel Kelly's devotion to the cause of Irish Liberty cannot be given, as he is fortunately "at large" yet, and their relation might compromise others as well, whose services in the future will doubtless be needed.

CAPTAIN JOHN M'CAFFERTY.

Arrested—Tried—Half-Alien Jury because he is an American—Acquitted—Envoy from Ireland to America—Address at the Great Jones' Wood Meeting in New York—Goes back—The Affair at Chester—Second Arrest—In the Dock—Corydon's Evidence—Found Guilty—Speech in the Dock—In his Cell.

SCARCELY less attention has been directed to Captain M'Cafferty, than to any of the Fenian prisoners. The fact that he is an American by birth, and the legal measures taken, in consequence, by his able counsel, to effect his liberation, have kept his case constantly before the public, which has lost nothing either by the manly style in which the subject has conducted himself.

The excitement immediately following the seizure of the *Irish People* party, 1865, and the fear of American aid, led the Government to watch the steamers. On the arrival of the City of Limerick at Queenstown, 18th September, Captain John M'Cafferty, announced as "late of the Confederate army," was arrested. From his person was taken a waist belt, with two six-barrelled revolvers, a rifle, and four works upon drill. One was Brigadier General Silas Casey's Infantry Tactics, three volumes; another, Lieutenant Colonel Philip St. George Cook's work on military movements, with illustrations by Colonel George Patten, late United States Army; the third, the "A. B. C."

of Skirmishing and Movements for Infantry, by Wm. Malton, late Second Royal Middlesex Rifles; and the fourth, a School Manual, by Stephen Pinckney, Colonel Ninety-fifth New York National Guard. These appearing, as the officials sagaciously said, "to contain every information necessary for the management of troops," the authorities regarded the ex-Confederate Captain as a very dangerous character, if not a walking arsenal. He was remanded, put in prison, bills found against him, and sent for trial to the Special Commission, held in 1865, in Cork, charged with feloniously compassing and intending to depose the Queen from the style, honor and royal name of the Imperial Crown of the United Kingdom; also, with feloniously intending to levy war against the Queen, and of moving foreigners with force to invade Ireland.

The prisoner pleaded not guilty, and his counsel, Mr. Butt, claimed that as the prisoner was an alien, half of the jury to try him should be aliens also. The Attorney-General requiring to see the foundation of the claim, Mr. Butt read a certificate from the District Court of Michigan, United States, that the prisoner, who had been in the Confederate army, had taken the oath of allegiance to the United States, in May last. He also read the following letter from the United States Consul, at Queenstown, to the prisoner, who, after his arrest, applied to him for his interference:

UNITED STATES CONSULATE, QUEENSTOWN, }
October 9, 1865.

J. M'CAFFERTY, Esq.: SIR—I am in receipt of your communication of 7th instant, and in reply, I beg to inform you that, upon

examination of your case, I find, first, that you were born in Sandusky, State of Ohio; second, that you deliberately entered the rebel army during the war; third, that you took the amnesty oath in the month of May last; fourth, that you left New York in September, to go to Paris, to get permission from Southern men to go to Mexico; fifth, that you were arrested at Queenstown, with revolvers and treasonable documents, involving you in a suspicion of complicity with treasonable movements in Ireland. Now, whether your statement is true that you were on your way to Paris to consult with men still disloyal to the United States; or, whether, as suspected, you are an agent from America, combined with the Fenian organization to raise a rebellion in Ireland, in either case, you have entirely forfeited all claims to either sympathy or support from the United States Government. I return you your oath of allegiance, and am your obedient servant,

E. G. EASTMAN.

Under these circumstances, the Government could not resist the suggestion, and the jury was formed as the prisoner's counsel desired. On the 16th, counsel having, at the invitation of the Justice, discussed the manner in which overt acts alleged against the prisoner had been sustained, Mr. Justice Fitzgerald said: "Having carefully considered the case last night, the Court had come to the conclusion that there was no evidence to sustain an overt act on the part of the prisoner, after tender arrived in port. They would direct the jury to acquit him." The jury, in accordance, returned a verdict of acquittal. This fact is important, and bears upon the case of Stephen J. Meany, who committed no overt act after his arrival in Great Britain, but was found guilty of acts done in America. Captain M'Cafterty was released on his own recognizances, and was cheered by the people on his liberation. Subse-

quently, on his way to Dublin, he was the object of much attention and sympathy wherever, along the railway line, the fact of his presence became known. Men and women pressed forward to shake his hand, and congratulate him on his release from captivity.

On his release from prison, Captain M'Cafferty put himself in communication with the Fenian Government in Ireland, and was despatched by it to America to explain the extent of the movement there, and the reliance placed in the promise of assistance. At the great mass meeting held in Jones' Wood, New York, after the suspension of the *Habeas Corpus* Act, in February, at which two hundred thousand persons were present, Captain M'Cafferty was introduced as "the envoy of the Irish Republic, with important despatches for the order in this country." He implored his hearers to stand by the Irish revolutionary army, which amount to two hundred and fifty thousand men. All they wanted was arms and munitions of war. He spoke of the discipline which existed, and in the course of his remarks said: He could not speak to them as eloquently as other gentlemen present could. He was only a soldier; he desired to fight, not to talk. Ireland was not even his native country, he was an American by birth; but Ireland was now his adopted country, and it was her cause he was now pleading. He was dealing in no extravagances, he was telling them plain facts. Another consideration he would impress upon them. In carrying forward the struggle which had been inaugurated, they might fail of success. In that case, it would be worthy of every Irish-

man to have something to show that when the struggle was going on, he had patriotism enough to aid the cause of his native land to the extent of his power; let him have some token of his patriotism in this emergency, to hand down as an heir-loom to his children. Of course there were possibilities, though not probabilities, of failure. No one could look into the future and predict, with absolute certainty, what would be the issue of this contest; but if, perchance, they should fail, the aiders of this movement in America, would have the assurance that he would, like many of his comrades, leave his bones bleaching on the soil of Ireland.

At this great meeting, resolutions were passed, condemnatory of Mr. Adams, the American Ambassador, at London, and Mr. Eastman, Consul at Queenstown, for declining to interfere in the case of Captain M'Cafferty, because he had been in the Confederate service, and notwithstanding that the said "Captain M'Cafferty has taken the amnesty oath required by the President, who thereby cast into oblivion all former acts against the Government or authority of the United States, and restored said Captain M'Cafferty to the full and entire rights of American citizenship."

Captain M'Cafferty attended and addressed the mass meetings held in Washington, Philadelphia, and other leading cities. At Philadelphia, he said there could be no difference of opinion, among those who are informed on the subject, as to where the blow should be struck. The invasion of Canada was not to be thought of. It would take three years to compel the surrender

of Quebec, and to obtain the control of the St. Lawrence. He expected to return to Ireland. He promised to do so, and he would keep his promise. Most assuredly he did. As he said, he was a soldier, and only believed in fighting; consequently he was one of those who adhered to the military programme, when Stephens refused to fight in Ireland, and immediately started for the theatre of operations. The Attorney-General, charging M'Cafferty with being the chief instrument, if not the originator of the contemplated seizure of Chester Castle, gave an outline of his movements, up to the date of his second arrest, based on the information of Corydon.

The attack was to have been made on Chester on the 11th of February; but on Sunday information of the design was given by Corydon to the authorities, who were enabled, in consequence, to take the necessary precautions. "If that project," said the Attorney-General, "had been carried out, it would be impossible to exaggerate the disastrous consequences to this country which might have followed." M'Cafferty went to Chester some days before the contemplated attack, and took apartments at the King's Head, in the name of Frederick Johnstone, and remained till Monday. On Sunday morning, the 10th, he was visited by two men, and later in the evening by seven more, "who had all the appearance of Yankees." The Government stated that between one thousand four hundred and one thousand five hundred strangers arrived in Chester, by train, from Crewe, and other places, but the authorities there were not unprepared.

M'Cafferty having ordered dinner for two o'clock, went out with Flood, and soon found that the matter was blown up. They then disappeared. Before leaving, M'Cafferty sent a messenger, one Austin Gibbons, to countermand the officers who were coming from Liverpool, by way of Birkenhead, and to say that the affair was blown upon. As might be expected, the officers found their way one after another to Ireland. On the 19th February, M'Cafferty and Flood landed at the port of Whitehaven, in England. They went to a hotel, where they stopped till the following day, when they sailed for Dublin in a coal brig, called the *New Draper*. They arrived in Dublin on the 23d day of February. Fortunately the authorities were prepared beforehand for their arrival, and a watch was kept on the *New Draper*. At each side of the river police were stationed, and as the vessel sailed up the river, they observed two men dropping into an oyster boat, which was rowed by three men. The police gave chase in a ferry boat, and arrested the men as they got into a collier. They gave their names as William Jackson (M'Cafferty) and John Phillips (Flood.) They were identified at Mountjoy prison. On being searched in the jail, there was found between the cloth and the lining, a gold ring, which would be produced, containing a photograph, and inside these words: "Erin, I love thee and thy patriots, presented to Captain John M'Cafferty, by the Detroit Circle of the Fenian Brothers, as a token of esteem. Detroit, April, 1866."

When the jury retired, in the case of Thomas F. Bourke, on the 1st May, M'Cafferty was brought to

the bar for trial. Mr. Butt applied to the Court for a postponement of the trial to the last of the Commission. The application was grounded on an affidavit which was verified by the prisoner, and which set forth that he was born in the State of Ohio, in the United States of America, in the year 1838; that he was indicted at the last Special Commission for the County of Cork, when he was tried by a jury half of whom were foreigners, by whom he was acquitted; and that there were certain official documents of the Republic of the United States of America, which he believed he would be able to produce, to authenticate his affidavit, and which were material and necessary for his defence. The Attorney-General, for the purpose of the trial, admitted the prisoner to be an alien; when Mr. Butt withdrew his motion for postponement, the object of the application having been attained. The trial was proceeded with on the following day. He is thus described in court: "Captain John M'Cafertry is put forward. I look down at him, as he comes up from where Thomas Bourke and Patrick Doran passed in, with his hat upon him, which he now removes. He sits down in his accustomed place, and the case goes on. Few men have a face in which determination and symmetry are so much blended, as that of John M'Cafertry. It is bronzed, too, with the light of battle-fields, where it gleamed amidst the lines of Morgan's troops, as they dashed along in many a desperate charge. He fixes his gaze always intently upon whoever speaks. A witness, or a lawyer, or a judge, or a juror, whenever he opens his lips to speak, will meet M'Cafertry's eyes. Yet I see,

as he sits there, that it is no anxiety that moves him to do this. He is a soldier, although he wears no uniform, and has the soldier's habit of looking at his interrogator steadily. He is a man of iron will."

The principal evidence is that of Corydon; it is a continuation of that given on Bourke's trial, and is as follows:

The informer, Corydon, was next examined by the Attorney-General. He repeated the evidence already recorded, and continued: I know John M'Cafertry; that is he in the dock; I saw him first, in Dublin, in February, 1866; he was introduced to all the American officers there in Carey's hotel; it was the headquarters of all the American officers in Dublin at that time; he was introduced to me as Captain M'Cafertry, of the rebel army, who had served in Morgan's guerrillas; no statement was then made to me as to his being a member of the Fenian Brotherhood; all I knew at that meeting were Fenians; I saw, in Dublin, Captain Doheny, General Halpin, Colonel Kelly; I met a person named John Flood very often at Fenian meetings, in Dublin; I met Edward Duffy there; he was organizer for the province of Connaught; I met Captain Dunne at these meetings; I met a person named O'Connor there; I also met Dennis Burke at these meetings; I remained in Liverpool till February, 1867, employed in Fenian business; I received pay, while there, out of the Fenian funds, from Captain O'Rourke; he went by the name of Beecher; I saw M'Cafertry in February, 1867, in Liverpool; Colonel Thomas Bourke, J. J. Rogers, Colonel Dunne, and others were with him; I first saw him in Birchfield street, in Liverpool; that was a headquarters of the Fenian Brotherhood; the meeting on that occasion, stated that Stephens did not mean to fight, and they would not put up with his nonsense any longer, since he did not mean it; M'Cafertry was at that meeting, and could hear these words; M'Cafertry went somewhere between January and February; I don't know where; a meeting was held late in January, in Liverpool, about forming direc-

torics; neither M'Cafferty nor Flood were present; Captain O'Rorke presided at it; the meeting came to the understanding that Stephens did not intend to fight at all; O'Rorke stated that now they had, therefore, formed a directory, which was to depose Stephens and constitute themselves as the authority of the Irish Republic; he further stated that the Head Centre in England (Flood) had joined this directory, as well as Captain M'Cafferty and himself, and wanted also to know if the American officers then in Liverpool, would sanction Flood's name and M'Cafferty's name as members of the directory; the meeting agreed to have Flood and M'Cafferty on the directory; I saw the prisoner after that, in Liverpool, from the 11th to the 19th February; there was a meeting of Fenians; M'Cafferty and Flood attended; they said they came from London, representing the directory; that they had brought about twenty pounds to be divided among the officers there, to pay their way to Chester; they stated that at Chester the castle was to be seized, the arms therein to be taken and put into trains, the rails were to be destroyed after the trains had started, the telegraph wires to be torn; they were to go to Holyhead, seize mail steamer, and go thence to Ireland; the way Captain M'Cafferty stated these plans to the meeting, in company with Flood, was—the night of the following Monday was fixed upon to carry out the plan, all the American officers in Liverpool were to go to Chester, as well as the Centres in Liverpool; a Centre is a colonel; he has got that rank; he commands a regiment or company; he is a commander of a circle; the majority of the meeting assented to the plan proposed by John M'Cafferty and Flood; some of the men went to Chester on the Monday I gave information to the authorities at Chester; I had been giving information since the September before; I saw the Fenians going to Chester by Birkenhead, thence to Monk's Ferry, and on to Chester; I went to Birkenhead myself, and remained till one o'clock; I saw at least five hundred Fenians starting from Birkenhead for Chester; while I was getting my ticket at the railway station, a man named Gibbons beckoned me to go back; I went to him, and he told me he was directed by Captain M'Cafferty and the Fenian authorities, to go back, as the affair in Chester was sold; all who had not gone on to Chester then went back; there was then a meet-

ing of the American officers, called at the Zoological Gardens, Chester; and we were then directed to come to Ireland, and wait there for the final instructions as to the rising in Ireland; I did not see M'Cafferty again till I saw him in prison at Kilmainham; about a week before the rising, I attended a meeting held near the canal, in a small street off Brunswick street, in Dublin, at which it was announced the rising would take place on the 5th; I got instructions to go to Millstreet, in the county Cork, and see the Centre of that district; that was about the 25th February.

Mr. Butt contended that the Attorney-General had no right to examine the witness as to the measures projected at the meeting referred to.

The Court ruled from the Crown.

Examination resumed.—At the meeting at the Zoological Gardens, there were there Colonel Doheny, Captain O'Brien, Colonel Dunne, Kirwan, James Smith, David Joyce and Dennis Burke; the only member of the Directory present was O'Rorke, who paid each officer present thirty shillings, to keep him till the rising took place; O'Rorke also stated there would be French and German officers to head the rising in Ireland; he did not say what the movements would be; we were to receive instructions, O'Rorke said, when we got to Dublin; he did not say from whom, but said they were in reference to the time for the fight; I always traveled from the Kingsbridge station, on the Great Southern and Western Railway, when carrying despatches, and on my way to Queenstown.

The same pen that gave us an outline of the prisoner, also gives us an impression of the persecutor. "I look well," says the *Irishman*, "at Corydon, and take down a mental photograph of him. Sharp and clear of feature, his hollow eyes set far under the caverns of his brows, are not a favorable feature. His retreating chin, and sharply angular jaw, Lavater would tell us is the type of a weak man. He gives his evidence with the coolness of a veteran, and endeavors to im-

press us with the belief that he is doing what he considers an act of virtue. He is not believed; and when Mr. Dowse cross-examines him, he is made to feel that. He asks him questions, under which he winces and writhes, but in vain. He pins his shame to him in his despite, and makes even the hardened informer blush. There is, however, a variation in the scene. There is an argument about a law point, and Mr. Dowse disputes with the Attorney-General. The Attorney-General finds fault with Mr. Dowse's manner, and Mr. Dowse retorts that he is not to be taught manners by the Attorney-General, that he is as good and stands as high as he does, though he has not the harness of Government on his back. The Attorney-General subsides, and is decidedly and unmistakably snubbed."

In his address to the jury, Mr. Butt alluded to his client as "a man who had won an honorable character on fields of fame, and who had only done what Englishmen gloried in, when they went to fight with Garibaldi," and held that there were no two witnesses to prove the only act of treason which affected him, as the informer's statement was not corroborated. At the conclusion of Mr. Butt's address, Judge Fitzgerald said:

John M'Cafferty, I have to apprise you that now, after your counsel has spoken, you are entitled—the law also gives you the privilege, of addressing the jury; and if you have anything to say to the jury, this is the proper time to make it.

Captain M'Cafferty said: I have but one statement to make, and previous to making that statement, I feel bound, by private feelings, to return my deep, and bounden, and sincere thanks, and to both of them I do so, to Mr. Butt, whom I consider the star of the Irish

bar, and to the noble and gallant Mr. Dowse. [Turning to Messrs. Butt and Dowse] he said: Gentlemen, to each of you I tender my sincere thanks. [Then, turning to the jury,] he said: Gentlemen, I have only this statement to make to this jury. I am a stranger. Unfortunately, I have been tried in this country by you on the charge of treason-felony against the Government of Great Britain. I was acquitted by the judges who presided at that tribunal, after the evidence had failed against me, on the part of the Crown prosecutor. They discharged me, without allowing my case to go to the jury, on that occasion. I pleaded, and properly pleaded, not guilty to the charge brought against me. That was the truth. I had committed no overt act of treason within the realm and jurisdiction of Great Britain. I returned to my native country after my acquittal. I again returned within the realm and jurisdiction of Great Britain. I have been led to believe—and I make the statement, emanating from my conscience—I have been led to believe, that from the moment of my arrest, the Government of Great Britain did not intend to deal fairly with me: I do not make this statement for the purpose of gaining sympathy.

Mr. Butt, Q. C.—You had better not state that. You have paid me a compliment, and I would ask you not to say that.

M'Cafferty—I have been led to believe it.

Judge Fitzgerald—You had better be guided by your counsel in any observations upon this case as it now stands.

Mr. Butt—I really and sincerely hope that Captain M'Cafferty will not use any strong language against the Government; he has paid me a compliment, and I would ask him, as a favor, to make no attack upon the Government, or anything remarkable.

M'Cafferty—I beg to explain. You have misunderstood me, in the manner in which I mean to bring this forward. I do not wish to make any attack upon the honor and integrity of the Government.

Chief Justice—If you have anything to say in the case, we will hear you, but this is a general discursive statement. You had better confine yourself to observations upon the case.

After consulting with Mr. Lawless for a few moments, M'Cafferty, addressing the jury, said: I have merely to say that I am inno-

cent—that I have not committed any overt act, with which I am charged, within the realm or jurisdiction of Great Britain.

Mr. Butt—That is quite right.

On Monday, May 6th, the jury returned a verdict of guilty, on all the counts. Sentence was postponed for several days, to hear argument before the Court of Criminal Appeals, on points raised by Mr. Butt, who declared that in the whole range of state trials, perhaps there was not a single case which involved, he would not say so many intricate questions, but questions going so directly to the root of the law of high treason. It was, however, of no avail. On the 20th of May, Captain M'Cafferty was brought into Court, and being asked what he had to say why judgment of death should not be passed upon him, in a clear, unhesitating voice, he said :

"My Lords, I have nothing to say that can, at this advanced stage of this trial, ward off that sentence of death. I might as well hurl my complaint, if I have one, at the orange trees of the sunny South, or the lofty pine of the great North, as now to speak to the question why sentence should not be passed upon me, according to the law of the day ; but I do protest, loudly, against the injustice of that sentence. I have been brought to trial upon a charge of high treason against the Government of Great Britain, and guilt has been brought home to me, on the evidence of one witness, and that witness a perjured informer. I deny, distinctly, that there have been two witnesses to prove the overt act of treason against me. I deny, distinctly, that you have brought two independent witnesses to two overt acts. There is but one witness to prove the overt act of treason against me. I grant, and freely grant, that there has been a cloud of circumstantial evidence, to show my connection, if I may please to use that word, with the Irish people, in their attempt for Irish independence, and I claim that, as an Ameri-

can, and as an alien, I have a right to sympathize with the Irish people, or with any other people who may please to revolt against that form of government by which they believe they are tyrannically treated. England sympathized with America. She not only sympathized with her, but gave support to both parties. Who ever heard of Englishmen being arrested by the United States Government, for taking up arms on behalf of the confederation of the Southern States, or of being placed upon his trial on a charge of high treason against the Government ? No such case ever appeared.

"I do not deny but that I have sympathized with the Irish people. I loved Ireland, and I love the Irish people. If I were free to-morrow, and the Irish people were to take the field for independence, my sympathies would be with them. I would join them, if they had any show whatever to win that independence, while I would not give my sanction to the useless effusion of blood. I have done it, and I state distinctly, that I have no connection whatever, directly or indirectly, with the movement that took place in the county of Dublin. I make that statement on the brink of my grave. Again, I claim that I have a right to be discharged on the charge that has been brought against me, by the nature of the law by which I have been tried. That law distinctly says that you must produce two independent witnesses to prove the overt act of treason against the prisoner. I claim, and claim loudly, that you have not produced, according to that law, these two independent witnesses. This is the only complaint I have to make. I make that loudly. I find no fault with the jury. I have no complaint to make against the judge. I have been tried and found guilty, and I am perfectly satisfied I will go to my grave. I will go to my grave as a gentleman and a Christian. Although I regret that I should be cut off at this state of life, still many noble and generous Irishmen fell on behalf of my Southern land. I do not wish to make any flowery speech in this court of justice ; and without any further remarks, I will now accept the sentence of the court."

The death sentence was then pronounced by Judge Fitzgerald, after which the prisoner, "still unshaken," spoke as follows :

"I will accept my sentence as a gentleman and a Christian, and I have but one request, and that is, after the execution of the sentence, my remains may be turned over to Mr. Lawless, to be interred by him in consecrated ground, as quietly as he possible can. I have now to return my grateful and sincere thanks to Mr. Butt, the star of the Irish bar, for his able defence of the alien prisoners. [To Mr. Butt]—Mr. Butt, I return you my thanks. I also return the same token of esteem to Mr. Dowse, for the kind manner in which he speaks of my former life. Those allusions recalled to my mind many moments, some bright, beautiful, glorious, and yet some sad recollections drifted before my eyes, of that gleam of hope that floated for an instant in the revolutionary struggle, and then sank forever. Mr. Butt, please give to Mr. Dowse my grateful and sincere thanks. Mr. Lawless, to you I return my thanks now for your many kindnesses, and I can do no more."

Mr. Lawless then shook hands with the prisoner, who immediately retired with a firm step.

The gentleman who visited Colonel Bourke in his cell, caught a glimpse of his fellow prisoner, himself unseen, and thus relates it:

"When I entered the prison I was shown along through many corridors, to that recent building called the New Jail. The door was opened upon a passage, lofty and airy, in which my view was bounded by a screen, but whose hue was, to my eyes, of ebony darkness. I passed beyond it, and a cell door met my glance on the side of the passage, in the centre of which was a small trap-door, of about one foot square, through which I looked, and saw Captain John M'Cafferty, dressed as I last caught his glance, with stalwart form as ever, but now kneeling, with his arms outstretched, and his hands clasped beneath, his face bent upon them, *in prayer*. Before his humbled brow rose an image the most sacred to Catholic eyes, the most hopeful to Christian hope. It was the image of the Crucified. The lofty brow of the great Sufferer was crowned with

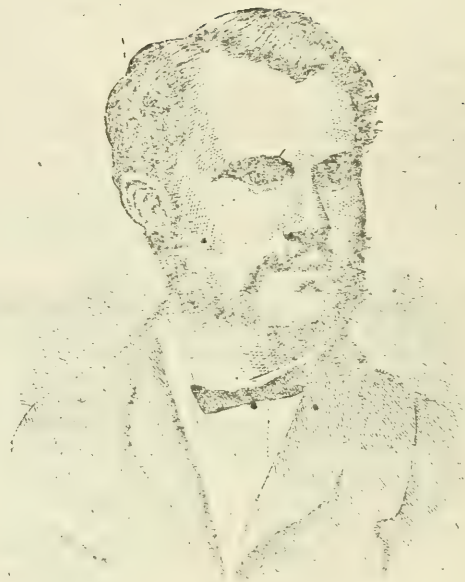
the diadem of agony. The artist had pictured the drops of blood that oozed from the gashed forehead, the heavy gout of gore that fell from the hand and foot and side, and the whole *eidolon* an awful representation of the sacrifice of Calvary. I looked and listened—the supplicant still unconscious of human presence. Low murmurs reached my ear. They were murmurs of prayer and pardon—the prayer of a man about to die with the spirit of a 'Christian gentleman.' Why should I intrude upon its rapture, its faith and consolation."

In June, Captain M'Cafferty's sentence was commuted to penal servitude for life. The prisoner received the news with composure, and was removed under a strong escort to the Mountjoy penal depot.

COLONEL JOHN J. O'CONNOR.

Born on Valentia Island—Emigrates to America—Runs off and joins the Union Army—Long Service—Promotion—Gallant action at Spottsylvania—Wounded at Cold Harbor—First Lieutenant—Captain—Seriously Wounded again at Petersburg—In Command of his Regiment—Mustered out—Goes to Ireland—Organizes Kerry—The Rising—Statement in the House of Lords—Reporter Arrested for Telegraphing Military Disaffections—O'Connor sent to America—His Address to the Public—Organizing Tour.

ALTHOUGH one of the youngest of the Military Chieftains of the Brotherhood, Colonel O'Connor has had very distinguished experience; and his connection with the movements in Ireland, being the first to raise the flag of revolt in the mountains of Kerry, in February 1867, gave his name a wide-spread prominence. After the failure of the intended demonstrations on Chester, the insurrection in Ireland was postponed, but the messengers not reaching Kerry in time, Colonel O'Connor proceeded to carry out his previous instructions, and in so doing, showed that he was a man for the occasion. His movement following the Chester affair created great consternation, and the telegraph wires conveyed his name throughout the British Empire, over land and under ocean, to this continent, where it was welcomed and toasted by his countrymen, who then heard of the gallant young soldier for the first time.



John James O'Connor was born on Valentia Island on the Western coast of Kerry. When between three and four years old, while the terrible years of fever and famine had swept the South and West, his parents emigrated to the United States, and landed in Boston, in which vicinity the boy was brought up.

Having New England "go-aheadativeness" grafted on the natural ardor of his race, young O'Connor desired to join the army of the Union when the Southern rebellion broke out, but his relations resolutely opposed the idea in consequence of the youthfulness of the applicant. However the youth might be denied, he could not be dissuaded. His feelings became warmly aroused. Like young Norval, he

"— had heard of battles, and he long'd
To follow to the field some warlike lord;
And heaven soon granted what his sire denied."

At last he made his opportunity; and one bright morning in the month of September, 1861, without acquainting his friends or relatives, he proceeded from his home, in Braintree, to the City of Boston and enlisted in the 28th Regiment Massachusetts (Irish) Volunteers, under the name of James Connors, thinking the assumed name a good means of concealment against the pursuit of his friends. His relatives, however, discovered him, and endeavored to persuade him to return, but to no purpose. His only reply was: "I am all right, and will return with shoulder straps on." He was just seventeen years old a week before his regiment departed for the seat of war.

The 28th Massachusetts was destined for South Carolina, and there, amid the swamps and sandy plains, the regiment, afterwards so eminently distinguished, learned the duties of soldier life. O'Connor was determined to be a soldier, and a good one. His first act was to send home to his mother for military books, on the receipt of which, he studied; and, combining theory and practice, soon mastered many difficulties, and made himself eminently fit to rise. His youth and quiet disposition, acted against the desires of his ambitious spirit, and kept him in the shade for a long time. It was two years before he achieved his first step upward—a corporal's warrant, which, he often said, he was prouder of than a commission afterwards. During this time the 28th—besides the movements on Dawfusky and Tybee Islands, and an attack on Fort Munson, James Island—had gone through the campaigns of the Rapidan and Rappahannock, and the still more momentous campaign in Maryland, sharing the gloom and glory of the second Bull Run, Chantilly, South Mountain, Antietam and other fights. On the 23d November, 1863, the regiment was transferred from the Ninth to the Second corps, and assigned to the Irish Brigade, under General Meagher.

A year passed, and O'Connor secured another promotion in being made sergeant. Next year came the great campaign of 1864. At the battle of Spottsylvania Court-House, in the memorable charge of Hancock's corps, of which the brigade formed a part, the ambitious young soldier greatly distinguished himself. When the color-sergeants were struck down, O'Connor

sprang forward, and raising the dear old green flag of his regiment, waved it defiantly in the face of the foe. This first drew the attention of his commanding officer, Major Andrew J. Lawlor, a fine type of the Irish soldier, who thanked the sergeant for his gallant conduct, and who, a week later, May 17th, at the second battle of Spottsylvania, met his own death at the head of his noble regiment.

On the 3d June, O'Connor was severely wounded, at the battle of Cold Harbor, and was not able to return to duty until the following August. Having, in the mean time, been promoted first lieutenant, the young soldier had won his "shoulder straps" with his blood. On rejoining his regiment, Lieutenant O'Connor was obliged, owing to the scarcity of officers, to command two companies. In November, he was promoted captain. But one officer of the original organization was on the muster-roll, and that was Colonel Cartwright, who proceeded with the remnant of the regiment to Boston, the term of service having expired on the 20th December, 1864. The officers and men whose term had not expired, and those who chose to re-enlist, fell to the command of O'Connor, as senior Captain. He consolidated his command into a battalion of five companies.

In about two months, Major Fleming, who had been wounded, returned, and Captain O'Connor again took charge of his company. In March, 1865, the army again advanced to storm the works before Petersburg, and here again O'Connor was very severely wounded, from which he still suffers. He rejoined his regiment

a few days previous to the grand review by President Johnson and General Grant, at Washington, on the return of the troops at the end of the war. He was scarcely able to be present, but he could not deny himself the soldier pride of being present on so splendid an occasion. After the review, the commanding officer who was also severely wounded at Petersburg, returning home, the command again fell to O'Connor. The battalion was mustered out on the field on the last of June, arrived in Boston, July 5th, and was finally mustered out on the 22d of that month. Owing to some negligence on the part of the State official, the gallant young soldier did not receive his promotion as Lieutenant-Colonel, to which he was entitled, although his name had been duly sent to Massachusetts for the purpose in May.

O'Connor had at least a part of his ambition gratified. He had won his distinction, but his health was greatly impaired. His wound was open, and a relapse taking place, he was again prostrated, and all hope of his recovery given up. But he was destined for other service.

He had become a Fenian while in the army; and six weeks after his return home he signed the Roll of Honor, to serve his native land; saying to himself "I have fought for the stranger—surely I could not do less than fight, and if need be, die, for the land of my fathers."

He went to Ireland and landed in Dublin, whence he was immediately dispatched to the County Kerry, where his people were known, and for which, though

he had little recollection of it, his heart still yearned with those feelings which our birth-home ever must inspire. There were few Fenians in Kerry, and it had not up to that time kept pace with the movements heretofore undertaken. O'Connor did not think this was the people's fault, and soon had reason to believe he was right. He organized the county, and though very closely watched, managed so as to lull suspicion for a long time. After having more than usual good luck, he was forced to leave the towns and take to the country, where the people attended to his every want, and were constantly on the look out for his safety. The police were often on his track, but he was enabled, by the faithfulness of the people and his own celerity, to evade them, until broken down with continual watching, being a "poor walker," and his wound coming against him, he was reluctantly compelled to leave the scenes of his operations for England.

With returning health, he ran the blockade in November, and entered his native county, passing as a detective officer. He again set to work, preparing and instructing the people in what they most anxiously desired to know—a knowledge of military matters. His enthusiastic nature added to the effect of his military experience. Sometimes in conversation with a friend who doubted the success of the movement in view, from want of money, or other causes, O'Connor would reply: "Money is not all we want, but the dauntless courage of men willing to devote themselves to a cause which they must never hope to see

successful, but whose graves will form the ramparts over which others will achieve victory."

At last O'Connor received orders to commence operations, and immediately, and with cool determination, issued his orders.

For the reasons previously stated, the Kerry movement was allowed to die out; but not before the most wide-spread excitement and anxiety had been created. This was widened by the statement made in the House of Lords on 14th February. In reply to an inquiry by the Marquis of Clanricarde, the Earl of Derby said:

"I can entirely understand the anxiety which the noble Marquis and your Lordships must feel with regard to the unfortunate circumstances which have occurred within the last twenty-four hours, and I also recognize to the fullest extent the duty of withholding nothing from your Lordships. And though the information which we possess is only such as can be received by telegram, and is, therefore, in the highest degree meagre and unsatisfactory, I am perfectly ready to state, without reserve, all the circumstances that have come to our knowledge. Yesterday afternoon we received information by telegram that between Mallow, Valentia, and Killarney the telegraphic wires had been cut; and by telegrams subsequently received we learned that they had been repaired, and that the Company were regularly patrolling the line for the purpose of its protection. Last night, a little before 11 o'clock, we received telegraphic information to the effect that an outbreak had certainly taken place—we do not know in what numbers, or how far armed—but that at Cahirciveen the Coast-guard station had been sacked, and that a messenger, a mounted policeman, had been shot by a body of insurgents. We received information this morning that, although the man had been shot at, he had not been killed, but his arms and horse were taken possession of by the mob. Our information further went on to say, that great appre-

hensions were entertained in the town of Killarney, upon which it was said that the mob were marching. That, as the noble Marquis knows, is distant from Cahirciveen about forty miles. Killarney, at the time, was utterly unprotected, but provision for the safety of the place was made by sending instructions immediately for the movement of troops by express trains from Cork, Tralee, and also from the Curragh. We received in the course of the night three subsequent telegrams, the last of which informed us that the first detachment from Cork had arrived at Killarney, and that the second was expected there in the course of a few hours. I learned to-day from Lord Strathnairn, that a detachment of five hundred men were on their way from the Curragh, and already arrived at Mallow. It is satisfactory to learn that these measures afforded great relief to the minds of the people of Killarney, and that no further outbreak has occurred, except, as we understand, that the police barracks at Kells was attacked by the same party which visited Cahirciveen. We have not heard that they approached any nearer to Killarney, nor have we heard of any symptoms of disturbance in any other part of the country. It will also be satisfactory to your Lordships to know that we have arrested an officer in the neighborhood of Cahirciveen, who, when arrested, was proceeding to take command of the insurgents, and was taken with strongly criminatory papers in his possession. I believe that the feeling of anxiety and alarm which this sudden outbreak produced has greatly subsided. At a conference which I felt it my duty to hold last night with His Royal Highness the Commander-in-Chief, the Secretary of State for the Home Department, and Lord Naas, Chief Secretary for Ireland, it was decided that Lord Naas should proceed to Ireland at once; and he accordingly did so at a very early hour this morning. A telegraph from Lord Strathnairn states that he goes over to Dublin by the mail to-night. I have no reason to believe that this is more than a local outbreak; at the same time notice has been given in every direction that the utmost vigilance is to be exercised."

In reply to the telegraph, troops were rushed to Killarney by special trains. Six hundred men of the

Forty-eighth and Sixth regiments arrived from Newbridge in a special train of nineteen carriages, also three hundred of the Fourteenth foot from Fermoy, and one hundred and fifty of the Sixtieth rifles from Cork, under Colonel Palmer—the whole force being commanded by Brigadier Sir Alfred Hosford.

The correspondent of the Cork *Herald*, who got himself into trouble, gave the following idea of the "insurgent chief." "I have not heard that they have made any arrests; and if the current rumors be credited, it is not likely that the young man, O'Connor, who commands the Fenians, will allow his men to be arrested. He has the character of being a brave, resolute soldier, who served with distinction in the American army, and that he will make his band of followers—to use the words of an old song—'conquer or die.' O'Connor is said to be as great an artist in personal disguises as Stephens himself, and though moving about the country for many months past, he all through eluded the vigilance of the police, who were most desirous to meet him. He is by birth a Kerryman. Captain Moriarty also served in the American army, and Sheehan who is lodged with him in the county jail, fought in the Papal Brigade, and was wounded at Spoleto."

The rising, indeed, as was natural, gave the public journals extensive business. Every one of them seemed to have a special correspondent in that County; and amid the abundance of rumors, picked up from the soldiers as well as the people, and circulated freely, some amusing and interesting scenes were embedded.

Among the former may be placed the latter which was given to the world by a Glasgow journal:

"With regard to the Fenian rising in Kerry, I can assure you, as a fact, that no one knows either its extent, the exact numbers of those engaged in the insurrection, nor whether the insurgents have come into close contact with the soldiers. The Government took possession of the lines of telegraph—whether judiciously or otherwise I leave you to be the judge—and nothing has been allowed to transpire, except whatever came through their own hands. I have learned, however, that, in places where the wires were cut, some of the Fenians adroitly fixed galvanic batteries, and, with the coolest impudence possible, kept up a correspondence with the authorities in Dublin. Just fancy a lot of fellows standing in a field, some smoking, and others joking, while a few of the more practiced hands are busily engaged sending a message like the following to Dublin: '800 insurgents up in arms, led by Captain Moriarty—all over Kerry, especially in the mountainous district. Speed, and send word what troops are coming.' Answer—'Warrants for the arrest of Moriarty and O'Connor are despatched by special messenger. Troops are ordered from Curragh, Dublin and Cork.'"

A reward of £250 for O'Connor failed to influence the people, save in doubling their efforts to mislead the authorities and shield the Fenians.

In discussing the case of the newspaper reporter, alluded to, who was arrested, the public journals completely nullified the effect intended to have been

made by his incarceration, and gave extensive exposure to the trepidation into which the officials had fallen through fear of military disaffection at this time. The following, from the Cork *Examiner*, briefly sets forth the fact, and the state of feeling it aroused:

"A new feature in Irish government has been exhibited by the police magistrate who has charge in Killarney, and one which, we think, is calculated to set the public seriously thinking whether there really is any liberty left us in this country. As the matter has reached us, a reporter employed by the Cork *Herald* was arrested and has been imprisoned, and is still in close confinement, because, in the discharge of his vocation, he offered for transmission by telegraph a message bearing the heading, 'Disaffection amongst the Military.' If this be the case, then the suspension of the *Habeas Corpus* is not the only indignity the country has to suffer. The liberty of every man is placed at the disposal of the resident magistracy, and there needs neither Act of Parliament nor warrant of law to render Irishmen as liable to the caprice of the stipendiary, as the Oriental of the Arabian Nights is to that of his Cadi. There is added to the story a statement that Mr. Tracey was only saved from the indignity of being marched to prison handcuffed, by the interference of a military officer. This is merely a circumstance in aggravation of the insolence of the outrage, but it does not in the least degree affect the principle. Under the despotic government of France, the transmission of false news is punishable by law; but it must be remembered that that state of things existed only at the will of an autocrat, and lately it has been very much modified. But under our glorious constitution the Press has been supposed to be free. We certainly were under the impression that it had a license to disseminate news as accurately as it could be gathered, and that the question of truth or falsehood was left to the unfettered discretion of the conductors. But we are rudely awakened by this act of the police magistrate. It appears that there is vested in Mr. Greene, R. M., and his like,

a power above the law and the constitution, and that facts must be suited to his taste or not published at all. We thought it was going pretty far when the messages for the press were all subjected to official supervision, but in an exigency like the present, no one thought of making complaint on that score. It is, however, different when the personal liberty of members of the Press is violated in a manner that reminds one of what we hear about continental despotisms."

The officials would not listen to the idea—no matter what the facts were to the contrary, notwithstanding—that any of the troops were disaffected, and Mr. Matthew Tracey was only released from prison upon his giving £50 bail, and two sureties in £25 each, to appear at the Tralee Assizes, in answer to the charge of having "wilfully and maliciously misrepresented her Majesty's forces."

Colonel O'Connor baffled the troops and police and was despatched to the United States by the parties directing affairs. He arrived in New York about the middle of May, and, having reported to the Executive, he proceeded to Boston, where he issued the following address:

Boston, May 23d, 1867.

To the Irishmen of Massachusetts and all Friends of Ireland:

FELLOW-COUNTRYMEN—No doubt many of you will think me presumptuous in appealing to you to give your assistance to those who are still determined to carry on the struggle for Irish independence. But I have been sent here by my comrades and my superior officers, to ask you for the help which we need, and which was promised to us by many amongst you before we embarked in this enterprise; and it was in the full confidence that we were to receive all the aid you could give us, that we ever left the shores of America.

When I left Boston, in the fall of 1865, the Fenian Brotherhood was a united and well organized body. When I reached Ireland, I set about the duty assigned to me, and since then I have fulfilled it to the best of my ability. We, in Ireland, could never understand why a split could occur among our friends—why, at the last moment, when we were ready to commence a great and glorious struggle—when there were over three hundred American officers in all parts of the country—of all ranks—men trained in many a hard fought battle against slavery, and who were willing and ready to lead the men of Ireland to victory or death. Brothers and fellow-countrymen, these men were not *fools*, as some represent them; they were not carried away by enthusiasm. They knew what they had to contend against, and they knew our advantages. They left this country with the full consent and counsel of all the Brotherhood. When I was leaving New York, in 1865, almost the last man I saw was Mr. Roberts. "Go," said he, "and God bless you. Tell our friends at home that before three months are over we will all meet on Irish soil." I never saw him after, nor did we in Ireland ever receive from him one dollar, one musket, or one man. If he is an honest man, if he is a true man, why did he, at the eleventh hour, cause a disturbance in the camp? Fellow-countrymen, do not for one moment imagine that the cause at home is lost or broken up, or in danger of being so. Though our hated foes are expending millions to accomplish that end, the spirit and principles of the men are as buoyant as ever, and will be while there is an officer left to lead them. In our ranks at home, there are men of all classes and professions. The real thinking men, and the men who love their country, are with us. There are many men of high standing and position, who would like to reap the advantages of a revolution, without having to encounter its risks. These are always hesitating, under the plea that the time has not yet come, wait till fall, &c. When our undertaking is crowned with success, they will be willing to take sides, and share the glory and victory. Until then, we must be content with their sympathy. From them we expect nothing, and will get nothing. Fellow-countrymen, do not believe the newspaper reports from Ireland. With a few honorable exceptions, they are all in the pay or in the interest of the English enemy.

Fellow-countrymen, in the name of Liberty, in the name of Ireland, I ask for your assistance *now*. Come forward and enable me to return to my gallant comrades, with the assurance that you have not forgotten Ireland, and have not abandoned Bourke and his fellow-prisoner to the tender mercies of Pentonville. Do not wait until the last man is slaughtered or taken prisoner. I cannot command the pen sufficiently to give expression to my feelings. My ability, if I have any, does not lie in that direction. But I am a man of my word, and I stake my life or my liberty on the truth of what I assert, and those who know me have never found me wrong in any statement I have made in reference to Ireland; and with others who are conversant with the details and requirements of an army, they are confident that if our countrymen in America do *their* duty to Ireland, our task would indeed be an easy one. England is not the England of 1798, and she knows it. The odds will not be so fearfully against us, as they were lately, with a villain and a traitor chief of staff. The treason of these wretches has baffled our late attempt, but not defeated our cause. We have again closed our ranks, and are preparing to meet our foe on a fairer field, and with better prospects of success. We have the fullest confidence in our superior officers at home. The men in charge of affairs in America at present, have proved their sincerity by the manner in which they have supported us. Some of these men I have known for years, and were I not confident of their honesty and their determination to help us, I would not be so willing to return to my post in the heart of the enemy's country, with a price upon my head, knowing well the risk I am going to run, if captured by the bloodhounds who were so long upon my track.

Fellow-countrymen, for the first and last time, I appeal to you in behalf of down-trodden and suffering Ireland, in the name of those noble men now suffering in British dungeons, and in the name of my gallant comrades, who are anxiously waiting for my return. You can assist us if you will. Let him who sits coolly at home, reading the accounts of our poor men far away, suffering on the hills, patiently waiting for the expected aid from America, beware of the everlasting shame and disgrace awaiting him, if he

cannot say that he has done his part in the noble work—the overthrow of the vampire that now sucks the life-blood of our people.

To those who were members of the Fenian Brotherhood when I went to Ireland, I particularly appeal. Confiding in your assistance, I went to risk my life for my country. Whatever may be the inducements held out to you, which caused you to give your assistance to other parties, I ask you now to be no longer led astray by false lights and specious speech-makers.

Return to your allegiance, and unite with those who are willing to give their all to aid us in the fight for liberty. In conclusion, I can only say that, whether you aid us or not, we will not abandon the cause. We will not leave our comrades to rot and die in the dungeons of Pentonville and Mountjoy, without making an effort to rescue them, or share their fate. The struggle has only commenced, and it will end only with the death or imprisonment of the last of us, or we will leave our country better than we found her.

Yours, ever faithfully and fraternally,

JOHN JAMES O'CONNOR,

Colonel I. R. A., and *Charge d'Affaires* for Kerry.

Previous to Colonel O'Connor's arrival, Mr. John Savage had made arrangements for a tour through Massachusetts, in aid of the Irish cause, and to instil among the Circles the necessity of union among Irishmen for the love of Ireland. Colonel O'Connor visited many towns with Mr. Savage. Subsequently, the Colonel went on an organizing tour in Michigan, and the shores of Lake Superior. He was also a delegate from Massachusetts to the sixth National Congress, which assembled 21st August, in New York, and acted on some important committees.

CAPTAIN MORTIMER MORIARTY.

First Fenian Organizer in Canada—Arrested going to Campo Bello—Escapes—Goes to Ireland—In Kerry—Arrested on his Way to Take Command—Cause of his Arrest—What Followed—Trial—Evidence of the Spy Talbot—Found Guilty—Sentence.

CAPTAIN MORIARTY, so frequently mentioned in connection with Colonel O'Connor and the Kerry rising, was an active Fenian organizer, a man of courage, tact and energy. He had been a useful propagandist of national principles in Canada, and his devotion to the cause is illustrated by his readiness to sacrifice his life for it.

Mortimer Moriarty is a native of the Parish of Cahirciveen, County of Kerry; and emigrated with his family to Toronto, Canada West, after the famine of 1846-7. The memories of the sufferers in the old land kept alive his patriotism in the new. He became a prominent member of the St. Patrick's and Hibernian Societies; and went still further, in becoming the first organizer of Fenianism in Canada. His military tendencies led him to the command of a company of militia; and he was arrested, with that sturdy nationalist, Mr. Michael Murphy, and others, when on his way to join the armed Fenians at Campo Bello. After some weeks in confinement, Moriarty and Murphy effected

their escape—much to the horror and chagrin of the Canadians—through an underground passage, and, after further adventures, reached New York. Captain Moriarty sailed for Ireland in December, 1866, and was despatched by Col. T. J. Kelly to take O'Connor's place in Kerry, in the belief that the latter, according to report, had been captured.

Meeting O'Connor, he was induced to remain in charge of the locality surrounding Cahirciveen; and took up his residence about four miles from that place under the assumed name of O'Shea, which seemed a very important fact in the eyes of the Solicitor-General, who traced up Moriarty's movements in these words: "From Christmas, 1866, till February, he lived at Connor's, and had no ostensible employment whatever. He made frequent visits to Cahirciveen, and said he came to Ireland for the benefit of his health. In Cahirciveen there is a reading-room, where dances are frequently held, and I think I am justified in stating it was used not only for the purposes of innocent recreation, but as a place where Fenians resorted. On the evening of the 11th of February, Moriarty was at the dance there with O'Reilly, who had been convicted as a Fenian at these assizes. About the first of February, J. J. O'Connor was stopping at the house of a man named Kelly, a quarter of a mile from where Moriarty was living. O'Connor, as I am instructed, was "Centre" for Kerry. We have thus brought into proximity the prisoner with other leading members, and we have him in the immediate neighborhood of the Atlantic cable. On the 12th of February, the morning which

preceded the attack on the coast-guard station at Kells, and the shooting of Duggan—the time fixed for the rising to take place generally in this country—Moriarty proceeded on the mail car from Cahirciveen to Killarney, and was arrested within a mile of the latter town. He and his luggage were taken to the police station in Killarney, and in his pocket was found a letter directed "J. D. Sheehan, Esq.," with the word "present" in the corner:

"February 12th.

"MY DEAR SHEEHAN—I have the honor to introduce to you Captain Moriarty. He will be of great assistance to you, and I have told him all that is to be done until I get to your place. The private spies are very active this morning. Unless they smell a rat, all will be done without any trouble. Success to you. Hoping to meet you, I am, as ever,

J. J. O'CONNOR."

The Rev. Father Lavelle gives the following account of the cause of Captain Moriarty's arrest, and other exciting circumstances attending the Kerry rising:

"It appears that on Tuesday last, the 12th, a shoeless girl came to a Mr. Galway, J. P., agent to Lord Castlerosse, at Killarney, with an anonymous letter, to say that 'Captain Murty Moriarty' would be on his way next day, or actually was on Bianconi's car from Cahirciveen to Killarney, bearing important despatches from 'General O'Connor,' Head Centre of the South, to a 'brother,' named Sheehan, in the latter town. The agent and J. P., with some Mr. Coltsman or other, took the alarm, and sent off a posse of police to meet the car some four miles out of town, and to arrest the party thus informed against. This was easily accom-

plished, as his distinctive features were described, he having lost a portion of the nose in the recent American war. Unfortunately, he had on his person papers from O'Connor, introducing him to Sheehan as deputy for that part, and prescribing an immediate plan of action. At least so the story is told. Sheehan was, of course, arrested, and, with Captain Moriarty and a man named Garde, conveyed to Tralee jail. The same night the wires of the telegraph were cut simultaneously at two places, forty miles assunder—ten miles to the east of Killarney, and twenty-eight miles to the west, on the Valentia line. The coast-guard station, at Kells, was attacked, and the arms found therein seized, but no injury done to the men. Next day and night the magistrates met, panic-stricken, at the Railway Hotel, Killarney, and kept telegraphing, like very furies, to Dublin and Cork for 'more troops.' And so troops have arrived—arrived next day from both places, to the amount now in all of one thousand, and under the command of a Brigadier-General Horsford. This officer was sent especially, from Aldershot, to take the command.

"On the arrival of the Cork detachment, at 3.30 in the morning, they were told off to meet, and beat, and kill and capture the insurgents. But no insurgent had they the good or bad fortune to encounter. At night other squads, accompanied by the young Mr. Herbert, M. P., (I think,) set off to surround the wood of the Toomies; but after passing a dreary night, no insurgents did they meet, nor does it appear that one has been encountered yet by any of the detachments.

"But on the arrest of Captain Moriarty, an orderly

was despatched with instructions to Valentia, and being met on the road by a number of armed men, was requested to halt and deliver his papers. He refused, drawing his sword and striving to make away from the assemblage. He was galloping off at full pace, when a ball on the hip brought him down. He was then taken to an adjacent house, when, fearing he was about to die, he called for the priest. One of the party—call them 'insurgents' for the moment—went forthwith for the clergyman, who attended him as usual. But here the Rev. Mr. McGinn, after acting as the servant of God, thought fit to do a trifle in the British spy way; and so proceeded forthwith to the police barrack of Rosbeg, and there warned the police to 'stand to arms.' He subsequently met the insurgents—I cannot as yet call them Fenians—and told them to desist, not to approach the barrack, for that the police were ready to receive them. 'Then you have informed on us,' said one of them. "Yes," answered he, 'I did so, and would do so again, and am prepared for the consequences.' Without further parley, they left his reverence and proceeded their way, whither it has not been since ascertained. But it would appear that on Wednesday some of them were seen, wearing green uniforms, passing the 'Gap of Dunloe,' and taking the direction of the mountains. So much for the facts, as far as they have hitherto transpired.

"The panic, as might be expected, was extreme among the loyal West Britishers of the 'Kingdom of Kerry,' during the excitement. Mrs. Herbert flitted to the Railway Hotel, with several others from the neigh-

borough. Lord Naas, the Irish Chief Secretary, was telegraphed to at his very seat in the House of Commons, and had to come across to see after this part of her Majesty's dominions—leaving his Irish Land Bill, which he was to move next night, to its fate. 'The Irish Office,' in London, was up all night on Wednesday, seeing what to do; and on the whole, whatever may be the nature or the result of the commotion, it has rather fretted our most benign and paternal Christian Masters.

"Some persist in denying it to be a Fenian movement at all. I would I could bring myself to believe so much. But I fear that utter hatred of the intolerable yoke, with extra enthusiasm, not guided by prudence or fortified by sufficient means, may have driven some noble spirits to a deed of rashness, which, if undertaken in auspicious circumstances, and with prospects of success, would entitle them to rank with the nobles heroes and apostles of Liberty."

On Thursday, 25th July, 1867, "Mortimer Shea, *alias* Captain Moriarty," and Jeremiah Daniel Sheehan, were indicted, because "they did, on the 15th of January, 1867, and on divers other occasions, feloniously conspire and intend to depose her Majesty from the royal style, title, and queenly dignity of Sovereign of Great Britain and Ireland, and did feloniously express divers overt acts," &c. The prisoners pleaded not guilty, and were "put back."

Captain Moriarty was brought to trial, at the Kerry Assizes, 16th August. The great object of the Government, on the trial, was to connect the prisoner with

Colonel O'Connor, and prove, from some experience in naval matters, that he was to take charge of the Atlantic cable. One Talbot, who had joined the Fenians to be a spy on their movements, said he heard that Moriarty was the Fenian chief for Kerry. This Talbot was a head constable, and appeared in court in uniform, decorated with two medals and clasps. On another treason-felony trial—that of John Goulding*—the same day, the testimony given by him was of interest, "if only true." He said part of the plan was to seize all the arms from the coast-guards and police stations, and from all the gentry who had them, and there was a list of these prepared for the night of the rising. On the 10th or 11th of February, it was settled in Dublin, that there should be a rising in Kerry one day after, to bring the army here, then break the rails and leave them here. I was so much engaged in the business, that they would not hold any meeting, night or day, without me; they were to have made me Commissary-General; they took me to be the head of the whole thing.

On his cross-examination, Talbot declined to state whether he was attending Fenian meetings at that time. He declined for "state reasons." Neither would he give the name of the place where their meetings were held in Dublin, (where the Kerry rising was agreed on,) as "matters were passing there yet."

The Solicitor General—Meetings connected with this conspiracy are still held in the same places?

Mr. Waters—Do you swear that, Mr. Talbot?

Talbot—I do.

* Sentenced to five years' penal servitude.

Judge Keogh—He may tell the locality without names.

Talbot—Francis street and Ward's hill; they also settled in the same place the second rising of the 5th March.

Mr. Waters—Until you came here as a witness, you were never in Kerry?

Witness—No.

A Juror—Did you take the Fenian oath? No.

Then how did you arrive at the position of Head Centre? I was not Head Centre, but they took me to be such.

Massey had seen Moriarty in December, 1866, at the headquarters, in New York, and had heard him say "he (Moriarty) escaped from Canada after the Campo Bello raid." Corydon identified the letter found on the prisoner as being in the hand-writing of O'Connor;* had been introduced to the prisoner at the headquarters, New York, by Colonel Downing, "as a man holding a high position; frequently heard him spoken of at Fenian meetings, in Liverpool, in connection with the Atlantic cable; he was well known in that locality, being accustomed to naval matters; he was supposed to know how to sever communication between Ireland and America."

On the trial, three witnesses from Cahirciveen, who had deposed as to the prisoner's hand-writing, and who refused to support their depositions, were ordered by the court to be arrested for perjury.

* We are in a position to state that it was *not* in the handwriting of O'Connor. It was written at his dictation.

The prisoner's counsel, Mr. Coffey, made an able review of the case, taking exception to the admission of much of the principal evidence, and animadverting on the conduct of the detective, Talbot, and the informers. He contended that his client had been unfairly and unjustly treated, and claimed that on an honest view of the case, he would be entitled to a verdict of acquittal. The learned gentleman's efforts were, however, vain. The next day, Judge Keogh treated the jury to a lengthened charge, and, after twenty minutes' consultation, they convicted the prisoner, who was sentenced to ten years' penal servitude.

JOSEPH NOONAN.

"Out" with O'Connor—Arrested in London—Marvelous escape from his captors—Re-arrested at Atherstone—Brought to Dublin—Riot in Killarney—Trial—Sentence.

THE case of JOSEPH NOONAN, one of the Kerry "insurgents," might have passed over with not more than the usual local attention bestowed upon such matters, if his desperate attempt to escape from the police in England, by leaping from a rail-car speeding at the rate of over forty miles an hour, had not drawn upon him commingled feelings of wonder and admiration. He had "turned out" with Colonel O'Connor, was known to have done so, and to have been probably the main instrument of managing the escape of several leading Fenians from the hunted district. He evaded the authorities, but was finally traced to London, where he was arrested on Tuesday, the 30th of April, 1867, by a Constable from Ireland. This Constable, Gunning, and a Sergeant, undertook to escort the Fenian prisoner to Dublin. The former says in his evidence: "Before leaving London, I went with him to the London Bridge Railway station to look after his boxes. He told me he was after arriving from Havre, and his boxes were there. We got the boxes and brought him to the police-station that night. The next day we

took him to the Euston station, where we all three took through tickets for Dublin. There was no room in the second class, and the station-master put us into a first. We left at five in the evening and arrived at Rugby that night. About half an hour after leaving Rugby, he took a hold of the window strap, dropped it, put his foot upon the seat, and went out of the window. The train was going at forty miles an hour then. My companion and I were talking at the time. We telegraphed back when the train stopped, and went to Tamworth, and the following day to Atherstone, where we got a clue."

After Noonan's escape, the Sergeant and Constable, both of whom were as much chagrined as astonished at the daring which had taken their prisoner from their very grasp, instituted an active search in the neighborhood, being also efficiently assisted by the railway officials and the local police. The officers gained no information on Thursday, but, on Friday morning, they ascertained that Noonan had been to a pawn-shop at Atherstone, pawned his coat, and bought a cap.

Nothing further was brought to light until night, when the lodging-houses in the town were searched by the police. They found the fugitive prisoner in one of these houses, in bed, about ten P. M. He at first denied that he was the man; the officers, however, had found a letter in the house written by the prisoner to his friends, asking them to supply him with money, which, on being made known to him, he at once acknowledged himself to be the man, and answered any

questions freely that were put to him. There is no doubt that but for the want of this money Noonan would have made good his escape.

From his own statement of his escape, it appears that he left the train about three miles north of Tamworth station, instead of south, as the officers surmised. He says he watched his opportunity, dropped the carriage window down, and, placing his knee and hands on the sill, with a cat-like spring, shot through the window; he alighted on his feet, and then had a few rolls and got up—beyond the shaking and a slight scratch on the right side of his forehead, nothing the worse for his adventure. As the train at the time was traveling fifty miles an hour, it is a most miraculous circumstance how the man escaped with his life; “and, incredible as the feat seems,” says one of the reporters, who saw him on his arrival in Dublin, “any person, after seeing the man, would feel quite ready to give credence to his statement, which corresponds in every particular with the statement of the officers from whom he escaped. In appearance he is just the man one would expect to find capable of accomplishing any such rash feat.”

The prisoner arrived in Dublin on Sunday, the 5th May, and was lodged in Kilmainham jail. It was expected that he would be brought to Killarney, and the people assembled to welcome him, and probably to attempt his rescue. He did not appear, however, and the populace took the opportunity of making a demonstration against the magistrate and police, an account of which is given in the London *Times* of 13th May:

“A Fenian riot occurred at Killarney on Wednesday evening. A large crowd of people had assembled at the railway station to witness the arrival of Noonan, the alleged Fenian, whose extraordinary escape from a train in motion was reported a few days ago. Noonan did not arrive, and the crowd turned upon and mobbed a party of thirteen policemen, who were in waiting at the station, under the command of Mr. Gallwey, J. P.” The display was continued until the police reached their barracks, after which “the mob, turning downward from the barrack and meeting Mr. Gallwey, hooted and yelled at him, and he was subjected to almost as much ill-treatment as the police. On going into his house, they threw stones at him, and some of his windows were broken.”

Mr. Noonan was subsequently confined in Naas jail, with Captain Moriarty and Thomas Garde*, and when it was necessary to remove him to Trilce, he was, in view of his daring proclivities, accompanied thence by a heavy escort of police. He was indicted for treason-felony and brought to trial at the Kerry Assizes 16th August. He was identified as one of O'Connor's party, on the morning of the 15th February, that had refreshments at the hotel at Glenbeigh, and as having got a boat at Glenagh in which he with four others proceeded to Muckruss. On his trial some incidents of the rising were given in evidence, which were not alluded to on the others.

* Garde was arraigned for having tendered the “Fenian oath” to one Gilsam, on the 8th October, 1866. He pleaded not guilty, and was acquitted by the jury.

Constable Wm. Duggan, who was shot while carrying despatches from Kilorglin to Cahirciveen, and fell from his horse, stated, after lying quiet for some time, that he got hold of his sword and walked to a cottage, into which, after some parley, he obtained entrance:

"I said I was wounded—that I wasn't able to do anything. They then called for Colonel O'Connor to come in—that they had this man inside. I saw a revolver with one of them. That man said, 'I am the man that fired at him.' He came up quite close to me and presented a pistol at me. I asked for a drink of water, and they said: an old woman belonging to the house go for it. • I got some brandy, too, from Colonel O'Connor, who had Mr. Anketell's (S. L., Cahirciveen) sword on him. Colonel O'Connor took the despatch I had with me out of my pocket, and read it, and a purse I had with 4s. in silver in it. Colonel O'Connor examined my wound, and told me to cheer up, and said he got worse himself in the American service. He promised to send me the priest and doctor as soon as he met them."

Mr. Shea, the proprietor of the hotel at Glenbeigh, was acquainted with Noonan, and said that O'Connor gave him a slip of paper in acknowledgment of the bread taken for his men. The daughter deposed that she "gave refreshments to twenty or thirty armed insurgents on the 15th of February, and got a bond of the Irish Republic from Colonel O'Connor as payment. Got the money afterward."

Noonan was convicted and sentenced to seven years' penal servitude.

CAPTAIN MICHAEL O'RORKE.

"O'Rorke, *alias* Beecher"—Birth—Family Emigrate to New York—Memories of the Boy Make him a Rebel—Joins the Phoenix Brigade—Enters the United States Service—Irish Legion—Sad Scene at the Battle of Spottsylvania—His Father Killed—Taken Prisoner—Mustered Out—Goes to Ireland—His Duties in England and Ireland—Narrow Escape from Corydon—Sent to New York.

In the evidence given by the arch-informer, on the trials of Colonel Thomas F. Bourke, Captain McCafferty, and others, the name of Captain O'Rorke, "*alias* Beecher," is constantly alluded to. He is spoken of in connection with the most prominent men and movements; as having been present at important consultations, and as being the pay-master of the Fenian organization in England, through whose hands the funds went to officers assigned to certain duties. Sufficient allusion is made to him to suggest a man of energy and reliability, in whom an abiding trust was placed by his superiors and comrades. Events have shown that Captain O'Rorke was worthy of the confidence placed in him. A trusty soldier of his adopted country, he was a no less efficient agent of the cause of his native land.

Michael O'Rorke was born in August, 1841, in Roscommon, Ireland, and is, consequently, now twenty-six years old. His family—father, mother, three sis-

ters and a younger brother—emigrated to the United States in 1854, and arrived in New York in the fall of that year. Though leaving home at this early age, young O'Rorke was not insensible to the causes which had driven thousands, as well as his own family, from the loved scenes of their nativity. He had seen and remembered from childhood the "crow-bar brigade," and other barbarous appliances of oppression. Within his own memory, the once most happy and comfortable homes of his neighborhood were razed to the ground, and he had seen grass growing on the hearths around which his young heart had been made glad with merry laughter. The hearth sides were cold, the voices gone—some hushed in pauper graves. Such scenes made boys men in spirit; and the boy O'Rorke wondered why such things were, and if there was no remedy for such gigantic evils. He naturally thought there must be some corrective, though he could not then see what it was; but the thought had sufficient inspiration in it to make him an ingrained enemy—even unto death—of the causes of such fraud and oppression.

With these feelings uppermost, he became a soldier of Ireland. In the Spring of 1859, he joined the Wolfe Tone Guards, Company A, First Regiment, Phoenix Brigade, commanded by the lamented Captain Francis Weppley, a brave and devoted son of Ireland, now, alas, numbered among the thousands of true and brave hearts lost to her while gallantly fighting for the integrity of this Republic. The Phoenix Brigade was at that time being organized, and had for its chief officers,

Doheny, Corcoran, and Colonel Matthew Murphy. With these patriotic spirits, O'Rorke was not then acquainted. It was enough for him, however, to learn that the brigade was to be a body of Irishmen, ready to do duty in Ireland. The dreams of his boyhood flushed his imagination, and with almost wild delight, he hastened to join, with heart and hand, these zealous men, whom he learned to love for their untiring devotion to the cause of the oppressed.

With unremitting attention, as private, corporal and first lieutenant, he served four years in the Wolfe Tone Guards. In 1862 the organization offered its services to the Government, as a regiment, and with it O'Rorke entered the service of the United States. He was commissioned as first lieutenant in June, 1862, and captain in December following. Of Captain O'Rorke, as a soldier, nothing more to his credit can be said than that often cheerfully expressed by those with whom he served, from the General to the Colonel and officers of his regiment—that he was an intelligent, brave and efficient officer. Many illustrative instances might be adduced, but Captain O'Rorke's career shows that he sought more to do his duty than to court eulogy or notoriety. His regiment—now the 164th N. Y. V.—was ordered to the Spinola Brigade, and remained with it until General Corcoran arrived from his Southern prisons, in New York, (August, 1862,) and commenced organizing the Irish Legion for the war. By the unanimous request of the officers, the 164th was transferred to the Corcoran Legion, of which

it formed a gallant and dashing adjunct, to the close of the rebellion.

It is outside of the design of this work to dwell on the services of the Irish Legion, which, like its elder brother in the field, the Irish Brigade, bore the brunt of many a sanguinary fight; but its name instinctively calls up heroic memories of Coreoran, Murphy, McMahon, Welpley, Butler, Abraham, Egan, O'Connell, O'Sullivan, Marony, Hickey, McCaffrey, Flood, and others, hundreds, rank and file, who yearned for the day they would strike for Irish, as they struck for American, freedom. Captain O'Rorke served with his regiment, without intermission; was with it in its brightest and darkest days, shared in its every march, bivouac and battle. There is one field, however, on which he was an actor, to which we are drawn by an interest, painfully, harrowingly sad. On it Captain O'Rorke received a wound, more deep and lasting, more excruciating than any given by blade, or bullet, or ball. Death was preferable to his agony on that day of Spottsylvania, 18th May, 1864, when, in the heat of action, he caught the almost lifeless body of his fond father as he was struck down by a bullet from the enemy. To be near his son in danger—to see him—not to have to wait to hear from him—this loving father entered the service. The son had but time to press the dying father to his heart, rest his head against the side of a ditch, and take his position with the advancing troops. Who can attempt to paint the anguish of O'Rorke, who deeply and wholly reciproca-

ted that love which led his father to face death to be near him. The duty which tore him from the side of the dying, made him reckless of life. He courted death; but though hundreds were falling around him, his agonized desire was not granted, nor did he even receive a wound during his entire service.

At Reams's Station, 25th August, 1864, he was taken prisoner, after seeing his first military instructor, the gallant Welpley, literally torn assunder by a shell, while leading his command, a Company of the Sixty-ninth N. Y. N. G., a portion of the same shell also killing another brave officer, Lieutenant Sweeney, of the same regiment.

After undergoing untold hardships in the prison-pens of the "Confederacy," for six months, Captain O'Rorke was exchanged in February, 1865, when he returned to his regiment, and remained with it to the close of the war. The mustering out day at last arrived, and out of eight hundred who answered at the mustering in, more than seven hundred left their bones to bleach on many a well-contested and bloody field, or to rot in some confederate prison yard. The other regiments of the Legion—the 69th, 155th and 170th N. Y. V.—sustained about similar losses.

About the first of July, 1865, Captain O'Rorke returned to his home, in New York, when the Government of the Fenian Brotherhood required his services in Ireland. Although, under the circumstances related above, he might have been justified in remaining with his family, his sense of the duty imposed on him was paramount. Declaring himself ready, he received

his instructions, left New York on the 14th of July, and arrived in Dublin on the 27th.

About three months were spent visiting the various parts of the country, principally the west of Ireland. After the seizure of the *Irish People*, and in view of the numerous arrests of active Fenians then made, Captain O'Rorke was called on to perform several offices for the organization. Some of these duties led him, almost daily, for months, to visit houses most noted, and whose residents were already watched by the authorities. Still, he succeeded in eluding the vigilance of the detectives. Not only then, but throughout the whole period of his labors, he was so successful in his management, that he believes he is personally unknown to the spies and police up to this day.

When the *Habeas Corpus* Act was suspended, arrests made by the hundred, and Dublin ablaze, Captain O'Rorke was not only to see, almost daily, every officer not arrested, but to visit the lodgings of those who were, to look after their effects, and settle any claims against them which might have been left unpaid. When Mr. Stephens was leaving Dublin for the United States, in March, 1866, he ordered Captain O'Rorke to send all the officers not arrested, then in Ireland, to England. This was done, and funds being placed in his hands for their support, he received the appellation of paymaster, or, as the informer and detectives have it, "Fenian Paymaster."

It would not be prudent to enter into details of the Captain's sojourn in England. Suffice it to say, he remained at his post, providing for his charge, about

fifty officers, and sometimes more. With others, he hoped, and lived with the hope, that an open movement would take place in Ireland, in 1866; and left nothing in his power undone to further this design. The sequel of Mr. Stephens's unfortunate promise, which bred such distraction in the home organization, is before the world. Captain O'Rorke was now called upon to perform other, and even more important duties, of which little can be said, save, indeed, what has been already indicated by the evidence. His new duties led him to visit, at various times, almost the whole English organization, and Dublin at least once a month. During the very fever of excitement and vigilance of both the Irish and English authorities, he successfully performed all this, and kept himself and his whereabouts unknown to them, until the informer, Corydon, gave the latter, and made a bold attempt on the former. But on this, as on other occasions, he escaped the snares of that wily wretch. Acting on the informer's instructions, a posse of detectives and police, led by Major Greg, chief of the force, proceeded to O'Rorke's lodgings, in Liverpool, to arrest him. They took every precaution, approached the house from three sides, guarded all the entrances, and captured everything, from the cellar to the garret. The only trace they found of the "paymaster," was his trunk, which they broke open, he being safe in Dublin, whither business had called him the day before.

At the time—September, 1866—he had not the remotest idea who gave the information; but the search convinced him that all could not be right. When,

therefore, he returned in a few days to Liverpool, he removed his residence to a town a few miles distant, where, fortunately, his exact whereabouts were never known to the execrable Corydon. To this circumstance, is no doubt attributable the fact that Captain O'Rorke was enabled to go on performing all his duties as before, and meeting Corydon, with the officers, almost weekly in Liverpool. O'Rorke's suspicions, without being centered on any special person, were awakened, and he took the precaution of making his visits to Liverpool rather irregular, without previous announcement, and of such short duration in any one place, as to defeat any covert enemy. And he had, indeed, a treacherous foe, one unknown until he saw him on the informer's stand. At the Fenian trials, this monster acknowledged that he was receiving pay from the Fenians, through, as he said, "their paymaster in England, Captain O'Rorke, *alias* Beecher," and that, at the same time, he was using his diabolical efforts to sell the life of that gentleman, his former companions, and his country.

Notwithstanding that Captain O'Rorke traveled to all parts of England, meeting hundreds of persons nightly, known to all, each having the conviction that his betrayal would insure a large reward, yet it is a healthy evidence of uprightness of purpose, to know that he experienced no peril, but, on the contrary, was shielded with devotion. Within four months, it has been stated that he was as many times arrested; but it is gratifying to remark he was safe in the hands of his friends, in New York, having been sent there on the business of the organization, in June, 1865.

STEPHEN JOSEPH MEANY.

Birth—Early Writings for the Press—Publishes a Volume of Poems at Sixteen—O'Connell's Reporter—Establishes the *Irish National Magazine*—In the Clubs—On the *Irish Tribune*—Brenan and Meany Test the Right of the Police to Sell the National Journals—Arrested under the Suspension of Habeas Corpus, 1848—Released—Journalism—Emigrates to the United States—Editor of the Toledo *Commercial*, Ohio—Centre—At the Third Congress—A Senator—Address to the Parent Trunk of Fenianism—Resolutions at Jones' Wood—Goes to England—Arrested—Tried for Treason-Felony—Fine Speech in the Dock—Exposes Overtures made to him to Betray the Fenians—Sentenced.

THE case of Stephen Joseph Meany has attracted peculiar attention, and thrown light upon a public career of devotion to Ireland, which it is gratifying to record. On the National side of Irish politics from boyhood, Meany was up to every progressive movement which, in our day, lifted politics into the domain of patriotism. He does not now suffer for the first time for entering wisely and well into the agitations exposing the misgovernment of his country, or advocating measures to achieve her independence. In 1848, he shared the hopes and penalties of that brilliant band of poets, authors and journalists, whose writings, not less than their aspirations, chivalry and sufferings, were sufficient to make that year an ever-memorable epoch in the annals of Irish intellect and progress.

Stephen Joseph Meany was born at New Hall, near Ennis, County Clare, Ireland, in December, 1825. Af-

ter preparatory studies, he adopted the profession of reporter and journalist, and became distinguished as a most capable shorthand writer when little more than fifteen years old. A vivacious and romantic intellect naturally found expression in poesy; and the kind reception given to some contributions to the *Clare Journal* and a Dublin weekly, bearing the signatures of "Abelard," "Werner," &c., induced the author to print a volume, which he did in 1841, with the title "Shreds of Fancy." This book, which was dedicated to Sir Michael O'Loghlen, Bart., Master of the Rolls, is in some respects remarkable, as evincing, not only a facility, but a felicity, in diction and versification, of more than usual maturity in one so young. The tender affections, of course, were the main inspiration of the youthful bard; but love of country found expression happily prophetic of the author's patriotic future. About the same time, young Meany announced "The Terry Alt; a Tale of 1831," in three volumes, which necessarily embraced illustrations of the state of the country.

During 1843-4, the era of the monster meetings, when O'Connell convened the people on Tara Hill, at Mullaghmast and Clontarf—beacons and battle-grounds of Irish glory and retribution—and inspired them with feelings never to be gratified by him, Meany was entrusted with the position of chief of the *Freeman's Journal* staff. His tact and facility in reproducing the "Liberator," caused him to be distinguished as "O'Connell's Reporter." The enthusiasm of his nature, not less than his literary leanings, as a

matter of course, led the active journalist into the progressive ranks of the Young Ireland party. In 1841 he made a most laudable attempt to establish a creditable weekly periodical, in Dublin, of the same character as *Chambers' Edinburgh Journal*. This publication, *The Irish National Magazine*, was in every way most creditable, but did not continue probably more than six months.

In 1848, Mr. Meany became an active propagandist in the Confederate Clubs, and soon entered still more prominently on the path of danger. John Mitchel's powerful appeals, coupled with the excitement bred of the European upheaving, and especially by the three days of Paris, had created a fervor which swept the leaders—almost against their will—into the consideration of revolutionary means and measures. As he started on his trial, Mitchel provoked the viceroy into his courts of justice—as places of the kind are called—and forced the Government publicly and notoriously to pack a jury to convict him. He was convicted, and permitted to leave the island. In the series of retrospective letters published with the title of "The Last Conquest of Ireland, (Perhaps)," Mitchel gives an idea of the sense of duty governing those who took up his cause. He says: *

"The fierce enthusiasm of our confederates was redoubled after my removal. They hoped at least that, if they were restrained from action *then*, it was to some good end, with some sure and well-defined purpose;

* "Last Conquest," Letter XXXII, p. 531.

and there were many thousands of men then in Ireland, who longed and burned for that end and that purpose; to earn an honorable death. How the British system disappointed them of even an honorable death, remains still to be told. A man can die in Ireland of hunger, or of famine-typhus, or of a broken heart, or of *delirium tremens*; but to die for your country—the death *dulce et decorum*—to die on a fair field, fighting for freedom and honor, to die the death even of a defeated soldier, as Hofer died; or so much as to mount the gallows like Robert Emmet, to pay the penalty of a glorious treason—even this was an *euthanasia* which British policy could no longer afford to an Irish nationalist.

“Yet, with all odds against them, with the Irish gentry thoroughly corrupted or frightened out of their senses, and with the “government” enemy obviously bent on treating our national aspiration as an ignominious crime, worthy to be ranked only with the offences of burglars or pickpockets—still, there were men resolved to dare the worst and uttermost for but one chance of rousing that down-trodden people to one manful effort of resistance against so base and cruel a tyranny. The Irish Confederation re-constituted its council, and set itself more diligently than ever to the task of inducing the people to procure arms, with a view to a final struggle in the harvest. As it was clear that there was nothing the enemy dreaded so much as a bold and honest newspaper, which would expose their plots of slaughter, and turn their liberal professions inside out, it was, before all things, neces-

sary to establish a newspaper to take the place of the *United Irishman*.

“It was a breach as deadly and imminent as ever yawned in a beleaguered wall; but men were found prompt to stand in it. Within two weeks after my trial, the *Irish Tribune* was issued, edited by O'Doherty and Williams, with Antisell and Savage as contributors.”*

Meany became connected with the *Tribune* as sub-editor and contributor, and at once attracted the watchful attention of the authorities. His writings at this crisis were peculiarly forcible in style, and more than usually pointed in suggestiveness. Take the following passage for instance, which is as suitable to-day as in July, '48:

“Free thoughts—free men—free soil for Ireland! These are the sacred rights of Nature. We ask not freedom because we were once free; we trust not to such frail and frivolous auxiliaries. We ask freedom because we have a right to be free. Usages, precedents, authorities and statutes sink into insignificance before this right. We seek our remedies in nature, and throw our parchment chains in the teeth of our oppressors. We ground our claims upon justice, and will not disgrace freedom by investing it with the fantastic honor of a pedigree. So little is plain sense heard in the mysterious nonsense which is the cloak of political fraud, that the

* “The stock was issued in shares, and was owned by Kevin O'Doherty, R. Dalton Williams, Dr. Antisell, J. De Courcy Young, Walter T. Meyler, myself, and two others. Michael Doheny and Stephen J. Meany, with the promoters, wrote the paper. ♦ ♦ ♦ J. De C. Young and myself had issued the “Patriot” in April, which the police discontinued, by removing the placards and confiscating the stock in the hands of the vendors. We then projected the “Tribune,” and were joined by the parties above named.”—1863 and '48, *The Modern Revolutionary History of Ireland*, pp. 321—4.

Cokes, and Blackstones, and other jurists, speak as if our right to freedom depended on its possession by our ancestors. In the common cases of morality we would blush at such an absurdity. No man would justly murmur for its antiquity, or stigmatize benevolence for being novel. The genealogist who would emblazon the one as coeval with Cain, or denounce the other as upstart with Howard, would be disclaimed even by the most frantic partisan of aristocracy. This Gothic transfer of genealogy to truth and justice is peculiar to politics. The existence of robbery in one age makes its vindication in the next; and the champions of freedom have abandoned the stronghold of right for precedent, which is ever feeble, fluctuating, partial and equivocal. I repeat, it is not because we have been free, but because we have a right to be free, that we ought to demand freedom. Justice and Liberty have neither birth nor race—youth nor age. Let us hear no more then of this ignoble and ignominious pedigree of freedom—let us hear no more of her Saxon, Danish, Norman, or Celtic ancestors—let the immortal daughter of Reason, of Justice, and of God be no longer confounded with the spurious abortions that have usurped her name.

"Primary political truths are few and simple; it is easy to make them understood. A government may be made to be respected, not because it is ancient, not because it has been established by barons or applauded by priests, but because it is useful. Men may easily be induced to maintain rights which it is their interest to maintain, or duties which it is their interest to perform. This is the only principle of authority that does not violate justice and insult humanity; it is also the only one which can possess stability.

"Is this principle an ingredient of English rule in Ireland?" *

The week following we find Meany reviewing, in a trenchant manner, the political incidents of the day. He deals plainly and boldly with them. "We will

* "Tracts for the Tribune."—*Irish Tribune*, July 1, 1843.

not," he says, "indulge in homilies of moral mysticism, better adapted to the amusement of a people than to their instruction. Such things are not fitted for the time. Men do not leave their hearths and homes and expose themselves, their fortunes and their children to imminent peril, without deep and dreadful cause. Anything like a general or national movement must be the result of long misgovernment." He implores the people to train, to drill, and to arm! and concludes his timely exhortation with these words, pointing to something more than

"The Tribune's tongue and poet's pen!"

"With organization, confidence, strength and arms—with a training and drilling, not only of the animal, but of the intellectual man, with our harvest already ripening in a July sun, with everything in our moral and physical condition to insure success—why, with these things let there be but one simultaneous exclamation.—'Now!' one shout of triumph, and then—God be merciful to the rampant ruffianism of English laws and English Government!"

A circumstance occurred about this period which is illustrative of Meany's manly sense of justice, as well as of the violent state of lawlessness which the Government was forced to adopt in its conflict with the patriots. Mitchel was right when he said there was nothing the Government dreaded so much as a bold and honest journal. The *Irish Tribune* was quickly followed by the appearance of the *Irish Felon*, so that there were two fearless national journals in the capital, besides the *Nation*, which had received a healthy

impetus by the necessity exhibited in the popularity of its younger rivals. Every possible obstruction was placed in the way of the circulation of the *Tribune* and *Felon*. The news venders were seized by the police and detectives not in uniform, and the papers forcibly taken from them.

On Monday, the 10th July, two days after the arrest of the editors of these journals, a large force of police proceeded to Trinity street, where the offices were located, and made a foray on the news venders. The same system having been pursued on the Saturday previous—and to such an extent that private individuals of the highest respectability, as well as the poor venders, were forcibly deprived of the papers they had bought—greatly irritated the gentlemen connected with the papers, and suggested to some of them the necessity of testing the power of the police. The action of the police attracted a large crowd. Meany, on the part of the *Tribune*, and Joseph Brennan, on the part of the *Felon*, procured copies of the respective papers, and, exhorting the venders to resist the confiscation of their goods, boldly went into the street and offered the papers for sale. The matter was taking a tangible form, and numbers went forward to purchase, and thus show their antagonism to the illegality being enacted. The police interfered, and demanded the papers. Meany and Brennan peremptorily refused. The excitement increased; the journalists offering their wares, the police demanding them, the former resisting, and the crowd cheering. The detective police, by their own testimo-

ny, were kicked and cuffed and dragged in the excitement, and Meany and Brennan were arrested for assault, and conveyed to the College street station, followed by considerable numbers, who repeatedly and loudly cheered them. The excitement before the Magistrate lost nothing in interest, Brennan defending himself; and it being generally supposed—from the usages of those days—that the gentlemen were about being committed to Newgate, under the "Gagging Act," for their writings. Brennan's talent for satire, which he leveled at the "authorities" in the court room, did not benefit him. It was decided to accept bail, but to send his case for trial; while Meany, being legally defended, was set free on his own recognizance.

Both parties had thoroughly aroused the vindictive watchfulness of the Castle officials; and having left Dublin on the suspension of the *Habeas Corpus* Act, and the consequent scattering of the leaders to the hills, were arrested together in the west, while seeking some sphere of action to precipitate revolution.

Meany was in the clutches of the Government for about nine months; a prisoner in Belfast, Newgate (Dublin) and Kilmainham jails. The friendship which kindred sympathies suggested between Meany and Brennan in the streets of Dublin, was strengthened in prison, and some poetical illustrations of it have been printed, which have an additional interest, now that Brennan, (one of the brightest intellects of the era,) is no more, and that Meany—re-enacting, as it were, the earlier phases of his life which brought them—together



may ponder on the association which brought a "gleam of sunlight" into his cell while tenanting it years ago.

After Mr. Meany's release from prison, which took place on 3rd March, 1849, he became editor of a paper in the South of Ireland, and subsequently followed his profession in England. He was for several years associated with Mr. Whitty, of the Liverpool *Daily Post and Journal*, as chief of the staff of that journal, and was first president of the Liverpool Press Association before leaving the Old Country—a position "for which his *bonhomie* and graceful talent in a social sense, as well as his professional experience, well fitted him."

Mr. Meany emigrated to the United States some seven or eight years ago, and proceeding to the West, settled in Ohio, at Toledo, where he became editor and proprietor of the *Commercial*, and subsequently, Centre of the circle of the Fenian Brotherhood of that locality. In the latter capacity he attended the third National Congress of the Brotherhood, held at Philadelphia, October, 1865. On the appointment of two from each State and District to form a Committee on Government, Constitution and By-laws, Mr. Meany was one of the two selected to represent Ohio; and on the adoption of the new Constitution, creating a Presidency, Senate, and House of Delegates for the Government of the Brotherhood, he was elected a Senator.

When the division in the ranks of the Fenian Brotherhood occurred, he was one of the three Senators who refused to secede; and when the fourth National Congress assembled in New York, January 2, 1866,

and "restored the Fenian organization to its original simple and effective form," Mr. Meany received the thanks of the Brotherhood, and was elected District Centre for Ohio. He almost immediately started on an organizing tour, and returned in time to participate in the great Jones' Wood meeting of the 4th March. Here he presented a suggestive preamble and resolutions, of which the following are a portion:

Whereas, It is now manifest that Ireland, so long held in vassalage by the Government of England, is now about to strike determinedly for her freedom and independence; and

Whereas, As we, as American citizens, have a perfect right to assemble and bestow any material aid upon any people desiring to be free; and whereas, during the late unhappy differences between the States of this Union, the Irish people assembled *en masse* in the Rotunda of Dublin, and with one accord sympathized with and expressed the hope of a speedy re-union of the American States; therefore,

Resolved,—1. We, citizens of the United States, native and adopted, hereby tender our heartfelt sympathies to the struggling patriots of Ireland, and assure them that they shall from time to time receive from us encouraging words and the sinews of defence to the very extent of our ability to aid.

2. That the suspension of the writ of *Habeas Corpus* by Parliament and Crown of England is *ipso facto* an acknowledgment of the fact that Ireland is in a state of war, and by all the rules of civilized warfare, entitled to all the rights of belligerent parties.

* * * * *

6. That as England assumes the right by virtue of might to declare war against the Irish people, we, citizens of the United States, reiterate our right to extend our sympathies to the cause of Irish nationality, and with the cause of the Irish patriot. Long live the Irish Republic!

On St. Patrick's Day, Mr. Meany addressed the citizens of Poughkeepsie with eloquence and earnestness, giving an interesting sketch of his early experience of the festival in his native county of Clare, and conjuring up the tender associations of the day which fills the breast of every Irishman. He subsequently spoke at a series of great demonstrations in Philadelphia, and proceeded on his tour through the great West, where his energy was conspicuously effective.

Mr. Meany's predilections for journalism and enthusiasm in the Irish cause led him, in July, 1866, to start a journal for the advocacy of the latter in New York. It did not prosper; and after settling his business, Mr. Meany went to England to visit some members of his family.

He was arrested in London, conveyed to Mountjoy prison, Dublin, and committed for trial on the charge of Treason-felony. The Commission of Oyer and Terminer was opened on the 13th April, 1867. And Mr. Meany was arraigned on a charge of Treason-felony. He plead not guilty. Mr. O'Loughlen applied for a bill of particulars of the overt acts, which was denied by the Attorney-General. Mr. Meany was found guilty by the jury of making certain speeches in New York, and offering Fenian bonds for sale. The wretched creature who played the role of informer in his case, was a Joseph Devany, who lived in New York for "eighteen or nineteen years;" became a member of the Shields' Circle in October, 1865, and was subsequently Secretary of a Circle, and was sent to Ireland in January, 1867, to

give the needful information, by one of the agents of the British, who have been watching events in New York and elsewhere for the past few years.

The presiding Judge, Baron Hughes, refused to sentence Mr. Meany, on the ground that the court had no jurisdiction in the case. The points raised by Baron Hughes were subsequently argued before the Court of Error, when six of the Judges gave judgment affirming the verdict of the jury, and four dissented. As a consequence, Meany was brought up for sentence; and on Friday, 21st June, 1867, in answer to the usual question, at the Commission of Oyer and Terminer, he delivered the following exceedingly able speech, which, from the peculiarity of the case, and the probability that it will be the basis of some international action, is worthy of careful perusal. It is, moreover, a worthy and able culmination of Meany's efforts in the cause of his country. It is scarcely necessary to draw the especial attention of the reader to the base overtures made to the prisoner, in his difficulty, by the British Government, the officers of which had asked him to give evidence for the Queen against the members of the Fenian party just arrested at Dungarvan, in the County Waterford.

As Meany almost madly scorned the insulting proposition in the cell, he manfully exposed it in the dock; and also the prospect of liberation in six months, tendered to him, if he would plead guilty to the charges in the indictment; which he, as a man and an American Citizen, would not and could not do—knowing he had committed no crime.

The Clerk of the Crown asked if the prisoner had anything to say why sentence of death should not be passed upon him ?

Mr. Meany—Most certainly I have. I have much to say. There are many reasons I could offer why sentence should not—cannot—be pronounced upon me according to law, if seven months of absolute solitary imprisonment, and the almost total disuse of speech during that period, has left me energy enough, or even language sufficient for the purpose. But, yielding obedience to a suggestion coming from a quarter entitled to my respect, as well, indeed, as in accordance with my own feelings, I avoid everything that could bear the aspect of speech-making for outside effect. Besides, the learned counsel, who have so ably represented me during these proceedings, and the learned judges who, in the Court of Criminal Appeal, gave judgment for me, have exhausted all that could be said on the law of the case. Of their arguments and opinions your lordships have judicial knowledge. I need not say that, both in interest and in conviction, I am in agreement with, and adopt the constitutional principles laid down by the minority of the judges in that court; but I have, at the same time, sufficient respect for the dignity of the court, and sufficient regard, I hope, for what is due to myself, to concede fully and frankly to the majority a conscientious view of a novel, and, perhaps, difficult question.

But I do not seek too much in asking that before your lordships proceed to pass sentence, you will consider the manner in which the court was divided on the question—that you will bear in mind that the minority declaring against the legality of the trial, and the validity of the conviction, was composed of some of the ablest judges on the Irish bench, or on any bench—that one of the learned judges who had presided at the trial in the Commission Court, was one of the most emphatic in the Court of Appeal in declaring against my liability to be tried; and, moreover—and surely he ought to have known that there was not a particle of evidence to sustain the case set up at the last moment, and relied upon by the

Crown—that I was an “accessory before the fact” in that famous Dublin overt act, for which as an afterthought of the Crown, I was tried though not indicted; and I ask you further to bear in mind that the affirmation of the conviction was had—not on fixed principles of law—for the question was unprecedented—but on a speculative view of a suppositious case; and I must say, a strained application of an already overstrained and dangerous doctrine—the doctrine of constructive criminality—the doctrine of making a man at a distance of three thousand miles and more, legally responsible for the words and acts of others whom he never saw, and of whom he never heard, on the supposition that he was a co-conspirator. Fortified by such facts—with a court so divided, and with the opinions of the judges so expressed—I submit that neither according to act of Parliament, nor in conformity with the practice at common law—no, not in any way in pursuance of the supposed principle of that apocryphal abstraction—that magnificent myth—the British Constitution, am I amenable to the sentence of this court—of any court in this country. True, I am in the toils; and it may be vain to discuss how brought into them. True, a long and dreary imprisonment—shut away from all association or converse with humanity—the humiliations of prison discipline—the hardships of prison fare—the handcuffs and the heart-burnings—this court, and its surroundings of power and authority; all these are hard practical facts, which no amount of indignant protests can negative—no denunciation of the wrong refine away; and it may be, as I have said, worse than useless, vain and absurd, to question a right where might is predominant.

But the invitation just extended to me by the officer of the court—if it mean anything—if it be not like the rest, a solemn mockery—gives me. I presume, still the poor privilege of complaint. And I do complain. I complain that law and justice have been alike violated in my regard; I complain that the much-belauded attribute, British fair play, has been for me a nullity; I complain that the pleasant fiction known in the books as personal freedom, has had a most unpleasant illustration in my person; and I furthermore and particularly complain that, by the design and contrivance of what are facetiously termed “the authorities,” I have

been kidnapped in England, and brought to this country, not for trial, but for condemnation—not for justice, but for judgment. I will not tire the patience of the court, nor exhaust my own strength, by going over the history of this painful case. But, before I proceed further, my lords, there is a matter which, as simply personal to myself, I should not mind, but which, as involving high interests to the community, and serious consequences to individuals, demands a special notice—I allude to the system of manufacturing informers. I want to know if this court can inform me by what right an officer of the crown entered my solitary cell at Kilmainham Prison, on Monday last—unbidden and unexpected—uninvited and undesired. I want to know what justification there was for his coming to insult me in my solitude and in my sorrow—ostensibly informing me that I was to be brought up for sentence on Thursday, and in the same breath adroitly putting to me the question if I knew any of the men recently arrested near Dungarvan, and now in the prison of Kilmainham. Coming with a detective dexterity, carrying in one hand, as it were, a threat of sentence and punishment—in the other, as a counterpoise, a temptation to treachery. Why would a responsible officer of the crown suppose that seven months of imprisonment had so broken my spirits as well as my health, and that I would be an easy prey to his blandishments? Did he dream that the prospect of liberty which newspaper rumor and semi-official information held out to me, was too dear to be forfeited by a “trifling” forfeiture of honor? Did he believe that by an act of secret turpitude I would open my prison doors only to close them the faster on others who may or may not have been my friends; or did he imagine that he had found in me a Massey, to be moulded and manipulated in the service of the Crown, or a Corydon, to have his conscience and cupidity made the incentive to his baseness? I only wonder how the interview ended as it did; but I knew I was a prisoner, and my self-respect interposed for his safety and my patience. Great as have been my humiliations in prison, hard and heart-breaking as have been the ordeals through which I have passed since the 1st of December last, there was no incident or event fraught with more pain on the one hand, or more suggestiveness on the other,

than this sly and secret attempt at improvising an informer. I can forget the pain in view of the suggestiveness; and, unpleasant as is my position here to-day, I am almost glad of the opportunity which may end in putting some check to the spy system in prisons. How many men have been won from honor and honesty by the secret and stealthy visit to the cell, is more than I can say. How many have had their weakness acted upon, or their wickedness fanned into flame, by such means, I have no opportunity of knowing. In how many frailty and folly may have blossomed into falsehood, it is for those concerned to estimate. There is one thing, however, certain: operating in this way is more degrading to the tempter than to the tempted, and the Government owes it to itself to put an end to a course of tactics, pursued in its name, which, in the results, can only bring it to humiliation. The public are bound, in self-protection, to protect the prisoner from the prowling vists of a too zealous official. I pass over these things, my lords, and I will ask your attention to the character of the evidence on which alone my conviction was obtained—the evidence of a special, subsidized spy, and of an infamous and ingrate informer. I need not say that in all ages, and amongst all peoples, the spy has been held in marked abhorrence. In the amnesties of war, there is for him alone no quarter—in the estimate of social life, no excuse; his self-abasement excites contempt, not compassion—his patrons despise while they encourage; and they who stoop to enlist the services, shrink with disgust from the moral leprosy covering the servitor. Of such was the witness put forward with the design of corroborating the informer, and still not corroborating him. Of such was that phenomenon—a police spy—who actually declared himself on that table an unwilling witness for the Crown. Did anyone believe him? There was no reason why he should have been reluctant; he confessed that he had not known me previously, and there could not have been personal feeling in the matter. But I have no desire to speak harshly of Inspector Doyle; his bread depended on his acquiescence; he swore in presence of the Crown Solicitor, and was not contradicted, that he was compelled by threats to ascend the witness-table. The man may have had cogent reasons for his reluctance, in his

own conscience; God will judge him. But how shall I speak of the informer, Mr. John Devany? What language should be employed to describe the traitor spy—the man who adds to the guilt of perfidy to his associates, the deep and damning curse of perfidy to his God—the man who, eating of your bread, sharing your confidence, and holding, as it were, your very purse-strings, all the time meditates your overthrow, and pursues it to its accomplishment. How proud the wretch who, under pretext of agreement in your opinions, worms himself into your secrets only to betray—who, upon the same altar with you, pledges his faith and fealty to the same principles, and then sells faith, and fealty, and principles, and you alike, for the unhallowed Judas guerdon. Of such, on his own confession, was that distinguished upholder of the British Crown and Government—Mr. Devany. With an effrontery that did not falter, and knew not how to blush, he detailed his own participation in the acts for which he was giving evidence against me as a participator. And is evidence of this kind—a conviction obtained upon such evidence—any warrant for a sentence depriving a man of liberty—of all that makes life enjoyable or desirable—home, friends, and family? It is needless to describe a wretch of that stamp—his actions speak his character. It were superfluous to curse him; his whole existence will be a living curse. No necessity to use the burning words of the poet, and pray—

May life's unblessed cup for him
Be drugged with treacherous to the brim.

Every sentiment, in his regard, of the country he has dishonored and the people he has humbled, will be one of hate and horror of the informer; every sigh sent up from the hearts he has crushed, and the homes he has made desolate, will be mingled with execrations of the very name. Every heart-throb in the prison cells of this land, where his victims count time by corroding thought—every grief that finds utterance from these victims, amidst the indignities of the convict gangs in the quarries of Portland, will ascend to Heaven freighted with curses on the Nagles, the Devanys, the Masseys, the Gillespies, the Corydons, and the whole

host of mercenary miscreants faithless to who, their friends and recreant to their principles, have (paraphrasing the words of Moore) taken their perfidies to Heaven, seeking to make an accomplice of their God; wretches who, for paltry pay, or from paltry fear, have embalmbed their memories in imperishable infamy, and consigned their accursed names to an inglorious immortality. Nor will I speculate on their career in the future. We have it on the best authority extant, that a distinguished informer of antiquity, seized with remorse, threw away his blood money—his pieces of silver—and “went forth and hanged himself with a halter.” We know that in modern times—even within the memory of some still living—a government in this country actually set the edifying and praiseworthy example of hanging an informer when they had no further use of his valuable services—*thus dropping his acquaintance with effect*. God knows I have no wish for such a fate to any of the informers who have cropped out so luxuriously in these latter days—a long life, and a troubled conscience would, perhaps, be their best punishment; but, certainly, there would be a coincident compensation, a poetic justice, in a termination so exalted to a career so brilliant. I leave these scoundrels, and turn for a moment to their victims.

And here I would, without any reference to my own case—any regard to the fate before myself—earnestly implore that sympathy with political prisoners should not be merely telescopic in its character, distance lending “enchantment to the view;” and that when your statesmen sentimentalize upon, and your journals denounce far away tyrannies—the horrors of Neapolitan dungeons, the abridgement of personal liberty in Spain, and the exercise of arbitrary power in other European countries—they would turn their eyes homeward, and examine the treatment of their own political prisoners. I would, in all sincerity, suggest that humane and well-meaning persons, who exert themselves by prayer and petition for the remission of the death penalty, as a mercy, should rather pray and petition that the long death of solitary and silent captivity should be remitted to the more merciful doom of immediate relief from suffering by immediate execution—the opportunity, at least, of an immediate appeal from man's cruelty to God's

justice. I speak strongly on this point, because I feel it deeply, my lords; and I speak not without example. At the Commission at which I was tried, there was tried also, and convicted, a young man named Stowell. I well remember that raw and dreary morning, the 12th of March, when, handcuffed to Stowell, I was sent from Kilmainham Prison to the County Jail of Kildare. I well remember our traversing, so handcuffed, from the town of Salinas to the town of Naas, ankle deep in snow and mud; and I recall with pain our sad forebodings of that morning. These, in part, have been fulfilled. On Sunday after Sunday at chapel in the jail, I saw poor Stowell drooping and dying. One such Sunday, the 12th of May, passed, and I saw him no more. On Wednesday, 15th May, I accidentally heard of his discharge—mercifully discharged, as they say; but the fiat of mercy had previously gone forth from a higher Power; the political convict merely reached his home in Dublin to die with loving eyes watching by his death bed. On Sunday, the 19th May, his body was conveyed to his last prison-house, in Glasnevin Cemetery. May God have mercy on his soul. May God forgive his murderers! May God give peace and patience for those who are bound to follow. Pardon this digression, my lords; it was wrung from me—I could not avoid it.

Returning to the question why sentence should not be pronounced upon me, I would ask your lordships' attention to a fact, showing how, even in the estimate of the Crown, the case is not one for sentence. On the morning of my trial, and before true terms were offered to me by the Crown, the direct proposition was conveyed to me by my learned friend and Solicitor, Mr. Lawless, by the learned counsel, Mr. O'Loughlin, who so ably defended me, and by Mr. Price, the Governor of Kilmainham prison—by all three separately, that if I consented to plead guilty to the indictment, I should get off with six months' imprisonment. Knowing the pliancy of Dublin juries in political cases, the offer was, doubtless, a tempting one—valuing liberty, it was almost resistless in view of possible penal servitude—but having regard to principle, I spurned the compromise. I then gave unhesitatingly, as I would now give, the answer that not for a reduction of the penalty to six

hours would I surrender faith—that I need never look, and could never look wife or children, friends or family, in the face again with a consciousness of manhood, if capable of such selfish cowardice. I could not, to save myself, imperil the safety of others. I could not plead guilty to an indictment, in the overt acts of which six others were deliberately charged by name as co-conspirators with me—one of these since tried, convicted, and sentenced to death—I could not consent to obtain my freedom at the risk of theirs, and become, even though innocently and indirectly, worthy of rank with that brazen battalion of venal vagabonds who have made the Holy Gospels of God the medium of barter for that unholy gain; obtaining access to the inmost heart of their selected victims, only to coin its throbbings into the traitor's gold and traffic on its very life-blood. I stand at this bar a declared citizen of the United States, and I protest against the right to pass any sentence in any British court for acts done, or words spoken, or alleged to be done or spoken on American soil, within the shadow of the American flag, and under the sanction of American institutions. I protest against the assumption that would in this country bind the right of thought, or control the liberty of speech in an assemblage of American citizens in an American city. The United States will, doubtless, respect and protect her neutrality laws, and observe "the comity of nations," whatever they mean in practice—but I repeat, I protest against the monstrous fiction—the transparent fraud—that would seek in ninety years after the evacuation of New York by the British, to bring the people of New York within the vision and venue of a British jury in a British law court. I protest against the "supposition" that, in ninety years after the last British bayonet had glistened in an American sunlight—after the last keel of the last of the English fleet ploughed its last furrow in the waters of the Hudson or the Delaware, would restore that city of New York, its people, and institutions to the dominions of the Crown and Government of Great Britain. That is the meaning of this case. And so, disguise it as the Crown may, will it be interpreted in America. Not that the people in America would care one jot that Stephen Joseph Meany were hanged, drawn, and quartered to-morrow; but there is a great principle

involved. Personally I am of no consequence in the affair—politically, I represent in this court the Irish adopted citizens of America—for if, as the *New York Herald*, writing on the subject, has observed, the acts done in my regard are held to be justifiable, there is nothing to prevent the extension of the same justice to any other adopted citizen visiting Great Britain. It is, therefore, in the injustice of the case the influence lies, and not in the importance of the individual. Law is called “the perfection of reason.” Is there not, really, danger of its being regarded as the very climax of absurdity, if fictions of this kind can be turned into realities on the mere caprice of power? As a distinguished English journalist, in reference to the case, has suggested—“Though the law may, doubtless, be satisfied by the majority in the Court of Appeal, yet common sense and common law would be widely antagonistic if sentence were to follow a judgment so obtained.” On all grounds, then, I submit this is not a case for sentence. Waiving for the purpose the international objection, if I may so term it, I appeal to British justice itself on the matter. The professed policy of that justice has ever been to give the benefit of doubts to the accused. Judges, in their charges to juries, have uniformly theorized on the principle; and surely judges themselves will not refuse to give practical effort to the theory. My lords, I have now done, with this exception, there is one more observation with reference to myself which, with your lordships’ permission, I will reserve until my sentence is pronounced. It is one simply putting forward a matter of fact, with a desire of placing myself right before my country.

Judge O’Hagan intimated to the prisoner that whatever observations he had to offer, should be made before the sentence of the court was pronounced.

Mr. Meany said there had been much poetic fiction circulated concerning him. Before his trial by jury, he underwent a trial by journal; but there was one fact to which he should especially refer—he alluded

to the language of the Attorney-General, when he said that he (the prisoner) was one of the host of plunderers that were living on the money of the Fenian Brotherhood, and other petty charges of that kind. In that court he should protest, and before a higher and more just tribunal, that never, directly or indirectly, was he the recipient of one penny profit or emolument, in any shape whatever, from the Fenian Brotherhood, or any other political organization, nor was he ever a paid or salaried officer of the Brotherhood. He came to this country on private and family business, and that the Crown could not prove that he had since November, 1863, by word, act, or writing, taken part in any proceedings that had taken place in the country. He was now done, and was ready to receive the sentence of the court.

Mr. Meany was listened to with the utmost attention by everyone present in court, and after a short address, of a somewhat complimentary nature, from the judge, Mr. Meany received the sentence of Fifteen Years’ Penal Servitude.

CAPTAIN P. J. CONDON.

Youth and school days—Emigrates to America—Enters the army—In the Irish Brigade—Goes to Ireland—Arrested—Correspondence with U. S. Consul—Liberated—Goes a second time to Ireland—Arrested again—Tried—Acquitted.

PATRICK JOSEPH CONDON, one of the most efficient officers of the Brotherhood, and who was lucky enough to escape the clutches of the British Government, was born at Craves, near Cahermoyle, County of Limerick, on the 16th February, 1831. The Condons had considerable possessions in the locality; and the father of our hero, having received a portion of the paternal estate, cultivated it until the Summer of 1839, when he sold it, intending to emigrate to Australia. An accident to his wife altered the intention of the family, which removed to an adjacent town, where the father extensively entered into the business of a builder, to which, conjointly with farming, he had been bred. After attending the best English schools of the neighborhood, young Patrick Joseph was sent, at the age of twelve, to a Greek and Latin school at Shanagolden, from which he was transferred, in 1845, to the Classical Institute of Kilmallock, where he remained until the '48, when he hastened, though but seventeen years old, to join the Tipperary insurgents. About

this time he learned that his father destined him for the priesthood, an elder brother having been already for some years in holy orders. Not agreeing with the family views regarding his future, young Condon passed a creditable examination for the Dublin Medical Hall, in 1849; but owing to pecuniary circumstances, he was unable to prosecute his ambition in the medical profession, and consequently adopted his father's business. He emigrated to America in 1852.

When the civil war broke out, Mr. Condon's devotion to the integrity of republican liberty inspired him to enter the army. He joined the Emmet Guard, a company of the 2d N. Y. S. M., then commanded by an old and valued friend, Captain John Kennedy. His attainments soon asserted themselves, and he was nominated for a lieutenancy before he had served two months; but, having carried a hostile message, he was detailed on recruiting service to New York. He subsequently raised a company for the 63d Regiment, N. Y. V., which joined Meagher's Irish Brigade and greatly distinguished itself throughout some of the most brilliant and bloody scenes of the war. With this command, Captain Condon was most honorably distinguished, never having missed a march or a battle in which the Brigade took part from its formation to the consolidation of its regimental remnants. He received a bullet wound in the thigh at Antietam, commanded his regiment at the battle of Fredericksburg, and was placed in command of an important post, Banks' Ford, at the battle of Chancellorsville, which he held with seven officers and one hundred and

fifty men for five days and nights, while the fighting raged furiously all around him. He was finally compelled to swim the river, in the middle of which he lost his horse from under him. On St. Patrick's eve, 1863, Captain Condon was presented with a sword of honor by citizens of New York, in appreciation of his gallant services in the field.

After the consolidation of the Brigade, Captain Condon received a confidential position in the United States Engineer Department as inspector and shipper of materials for fortifications, and was giving the fullest satisfaction, when he received an order, in the Summer of 1865, to proceed to Ireland to take a command in the anticipated uprising. Captain Condon had joined the F. B. soon after his first landing in America, and, as became an earnest and zealous member, he at once obeyed the order of his superior officer in the organization. He accordingly resigned his situation in the U. S. service, and even sold property to go. He left New York for Ireland in September, 1865, and was arrested at Harold's Cross, a suburb of Dublin, on the 23d February, 1866, on suspicion, under the suspension of the *Habeas Corpus* act. From an address made to the President of the United States—inclosing a correspondence with, and complaining of, Mr. West, the United States Consul at Dublin—a narrative of Captain Condon's imprisonment may be found in his own words. Writing from Kilmainham jail, March 9, to the Consul, he says:

"I am a citizen of the United States of America, and have my residence in New York city. I was arrested in my lodgings at Harold's Cross, Dublin, on the morning of the 23d ult., by Acting Inspector Clifford and a squad of the detective force. I was conveyed to Chancery lane station, where, in company with two others, I was confined for four days and three nights in a filthy, loathsome cell or privy, without any sleeping accommodations. Were it not for the humane attentions extended towards us by the police of that station, belonging to A division—attentions shown to us at the risk of dismissal—I feel impressed with the belief that we should have perished. I was conveyed to this prison on the night of the 26th ult., where I am still confined. No cause so far has been assigned for my arrest. A duplicate of my citizenship paper was taken and is still detained from me, together with other property of mine. I claim from the American Consul here the protection of my government."

Under date of April 21, Mr. West informs the prisoner he has drawn the attention of the Lord Lieutenant to his case; and on the 28th, further says, the Viceroy is unfavorable to his recognition as a citizen of the United States. On the 30th, Condon writes he will abide the issue, believing that his Government will take a bold and dignified stand. He says any conditions of release short of allowing him to be a free agent will be useless. By waste of time and evasion the Consul kept Captain Condon nearly five months in prison. On the 4th July, as if in mockery of the American freedom indicated by the date, he writes to say that the Lord Lieutenant will order his liberation "on condition that you return direct to the United States." Captain Condon replied:

MOUNTJOY PRISON, July 10, 1866.

Mr. WILLIAM B. WEST, United States Consul:

SIR—On the 4th inst. the Governor of this prison read for me my conditional discharge, which was in substance as follows:—That I should go from here to Queenstown under police escort, and there take passage in a packet ship for the United States direct, and not return to Ireland within a reasonable time. I immediately refused to accept of my release on those conditions, and informed the Governor that I had business of considerable importance to myself to arrange in this country and in Scotland before leaving Europe, and also that I wished to go under medical treatment for a short time, as my health was much impaired by confinement. Your letter of the 4th reached me on the 5th inst., which left me no other alternative than to recall my non-acceptance of release by acceptance of the conditions offered. Now, sir, I wish to be informed by you if those conditions are acceptable of for me by the United States Government? If they are, I shall conclude that grave and pressing reasons have urged upon it the humiliating necessity of consenting to have its citizens (who are neither charged nor convicted of any crime) marched like common malefactors through the thoroughfares of a foreign country, to its very confines, and thence banished. I say if such necessity exists, I bow my head to the stroke, but if not, I shall sooner find a grave here, which I am very likely to do if I am kept much longer in confinement, as my health is bad, than accept of terms which would lessen me even in my own estimation. I respectfully demand that you send this letter, or a copy of it, to our Minister at London, the reply to which I will anxiously look for. I prefer adopting this course of sending to him through you than writing to himself direct. Very respectfully yours."

The Consul writes on the 12th July that "the terms of your release, that you should be escorted to the ship by police, which I learned for the first time from your letter, are accepted for you by the United States Government," and two days after informs him that Mr. Adams approves of the same.

"I was informed," says Captain Condon, "by the British authorities that I would get ten days to leave Ireland for the United States direct, if I would petition for it, which I declined doing, and accepted of the police escort in preference, leaving per steamship City of New York on the 19th of July last.

"All the United States citizens confined with me were subjected to the grossest indignities while in prison; and on the last anniversary of our national independence, when I proposed celebrating that ever-to-be-remembered day by a cheer, loud, long and heartily responded to, not alone by every United States citizen, but by every Irishman within hearing, the severest sentence was passed on myself and others for a breach, as it were, of prison discipline—one month in solitary confinement, and three days on bread and water. I felt the effects of this sentence telling so fearfully on my already shattered constitution, that I left the prison on the conditions accepted for me by the Consul."

Having remained some months in America, during which he made a tour of organization with Colonel T. F. Bourke, Captain Condon returned to Europe about the middle of December, 1866. After traveling in England and Scotland, he arrived in Ireland in the beginning of February, 1867, and was again arrested in Cork, 2d March—through the instrumentality of Corydon, who knew him well, having been a private in his company and transferred from it, for cowardice, to hospital duty. True bills were found against Captain Condon on the 21st May. He was arraigned for high treason on the 22d; tried on the 29th and 30th at the Cork Special Commission; and *mirabile dictu*, acquitted. By a strange chain of circumstances, Captain Condon is connected with several of the most noted actors in the late movement. He is married to

a sister of Captain John McClure; his family and that of Peter O'Neill Crowley have been connected for over a quarter of a century; one of the informers served under him, and the other was known by his name. This last circumstance gave the subject of our sketch intense pain; and he cried with joy in the presence of his lawyer, and a fellow prisoner, O'Mahony, when he learned that Massey, the informer, had no title to the name of Condon.

Captain Condon's services and adventures in the Fenian cause for the past two years would make a volume of exciting romance.

PETER O'NEILL CROWLEY, JOHN EDWARD KELLY, CAPTAIN JOHN M'CLURE.

Three Fenians give Battle to the Waterford Column and Ponce—Sketch of Peter O'Neill Crowley—Martyrdom of his Uncle, Father O'Neill—The Martyr's Heir—His High Character—Sketch of John Edward Kelly—Goes to School in Halifax—Emigrates to Boston—Becomes a Printer—Joins the Fenians in New York—Passion for Military Knowledge—Instructs the Emmet Guards in Boston—Goes to Ireland—Military Instructor in Cork—Views on Irish Revolution—Duties as Agent of the I. R. B.—Plans at the Time of the Rising—Sketch of John McClure—Native of New York—Joins the 11th N. Y. V. Cavalry—Service—Mustered Out—Goes to Ireland—Attacks Knockadoon Station—Crowley, Kelly and McClure in the Mountains—Fight in Kilcloony Woods—Capture of McClure and Kelly—Death of Crowley—His Funeral—Popular Sympathy—McClure and Kelly in the Dock—Manly Speeches—Sentence.

WHERE there have been so many individual instances of gallantry as the personal adventures of the Fenians exhibit, it is difficult to assign the palm of particular distinction to any one; but it will doubtless be conceded that the fight at Kilclooney Wood, between three Fenians and the British forces, was the most gallant and remarkable conflict of the rising. Indeed, it is well calculated to add a special glory to the cause associated with it, and to indicate a lasting reputation for those engaged in it. That three Fenians should defiantly resist and offer battle to one hundred and twenty soldiers, besides the district constabulary, borders almost on the marvelous. But men, inspired as

they were, are capable of any sacrifice—even life itself. The names of these self-sacrificing, daring men, are Peter O'Neill Crowley, John Edward Kelly and John McClure; and their example and record may be handed down to the admiration of those who honor noble deeds and will strive to emulate them.

Peter O'Neill Crowley was born on the 23d May, 1832, at Ballymacoda, in the county of Cork. His father was a respectable farmer, living in the locality, and his mother was the niece of Father Peter O'Neill, who, flogged in the City of Cork in the year 1798, was afterwards sentenced to transportation for life for his alleged complicity in the rebellion of that year. While yet young, Peter Crowley's father died, and his grand-uncle, the priest, who had been liberated from jail after five years' incarceration, took the boy under his care, and at the time of his death directed that due attention should be paid to educate him in all the modern branches of education.

As the wrongs suffered by Father O'Neill were treasured by the family—becoming an inspiration to patriotism—and as they receive an additional interest from the blood poured out by young Crowley to avenge them, a brief account of them, found in "A Critical and Historical Review of Fox's Book of Martyrs, by William Eusebius Andrews," will prove of sad interest. Most of the narrative is extracted from Father O'Neill's own "Remonstrance," dated October 23, 1803. The extract will speak for itself; we shall only premise that it was written in reply to a *law-lord* who had spoken of Father O'Neill as "one proved to

have been guilty of sanctioning the murders of 1798, transported to Botany Bay, and since pardoned by the mercy of Government." After denying in the most solemn manner that he was guilty of the offence charged against him at his arrest, in 1799, he thus proceeds:

"It was my peculiar misfortune that the charges then made against me were not only withheld from myself, but even my friends had no intimation of them, except by common report, which then was busily employed in disseminating the various atrocities supposed to have been committed by me; but nothing specifically authenticated had transpired; the very committal was so vague as to have excited the astonishment of a professional friend of mine in Dublin, and to have eventually led to my discharge. I shall now proceed to the particulars of my case: Immediately upon my arrest, I was brought into Youghal, where, without any previous trial, I was confined in a loathsome receptacle of the barrack, called the *black hole*—rendered still more offensive by the stench of the common necessary adjoining it.

"In that dungeon I remained from Friday until Monday, when I was conducted to the Ball-alley to receive my punishment. No trial had yet intervened, nor ever after. I was stripped and tied up; six soldiers stood forth for this operation; some of them right-handed, some of them left-handed men, two at a time (as I judge from the quickness of the lashes), and relieved at intervals, until I had received *two hundred and seventy-five* lashes, so vigorously and so deeply inflicted that my back and points of my shoulders were quite bared to the flesh. . . . But I had not hitherto shaken the triangle; a display of feeling which, it seems, was eagerly expected from me. To accelerate that spectacle a *wire cat* was introduced, armed with straps of tin or lead. . . . Whatever were its appendages, I cannot easily forget the power of it. In defiance of shame my waistband was cut for the finishing strokes of this lacerating instrument. The very

first lash, as it renewed all my pangs, and shot convulsive agony through my entire frame, made me shake the triangle indeed. A second infliction of it penetrated my loins, and tore them excruciatingly; the third maintained the tremulous exhibition long enough—the spectators were satisfied.”

After detailing the several means to which the officers—commissioned and non-commissioned—had recourse, in order to force from him a confession of guilt, Father O'Neill proceeds:

“After I had answered him (one of the officers) in the corner of the ball-alley that I would suffer any death rather than acknowledge a crime whereof I was not guilty, he told me that I should be set at liberty if I would agree to a *certain proposal* which he then made; but justice and truth commanded me to reject it. When conducted to jail, after a lapse of three hours, I was presented with a refreshment. It appeared to be wine and water, but must have had some other powerful ingredient, for it speedily brought on a stupor. The same officer soon roused me from my lethargy, with a renewed effort to extort this avowal from me; he drew his sword; he declared he would never depart from me until it was given in writing; he threatened that I should forthwith be led out again, flogged as before, shot, hanged, my head cut off to be exposed on the jail-top, and my body thrown into the river; that he would allow me but two minutes to determine. Then, going to the door, he called for a scrip of paper, while the sentinel swore terribly at the same time that he would blow my brains out if I persisted any longer in my refusal. Under this impression I scribbled a note to my brother, which they instantly cried out was what they wanted; the precise expressions of it I do not at this moment recollect; it purported a wish that my brother might no longer indulge uneasiness on my account, for I deserved what I got. The officer withdrew; my sister-in-law then got admittance: she told me she had just heard the sentinel say that during my entire punishment, nothing was against me; however, that the paper I

had just written would assuredly hang me. I exclaimed that their dreadful threats had compelled me to write it, which exclamation being carried to the officer, he returned the next day; he called me to the jail window commanding a view of the gallows, whereon two men were hanging, their bodies so bloody that I imagined they were red-jackets. A third halter remained yet unoccupied, which he declared was intended for me, should I persist in disclaiming the aforesaid note. ‘Look,’ said he, ‘at those men; look at that rope; your treatment shall be worse than theirs if you disown what you wrote yesterday;’ adding that it was still in my power to get free. I imagined from this that he wanted money from me, or a favorite mare which I had occasionally lent him. My answer was—‘If you liberate me, you shall always find me thankful, there is nothing in my power that I will not do.’ ‘Do not attempt, then,’ said he, ‘to exculpate yourself,’ and then retired. I now procured paper whereon I wrote a formal protest against what he had extorted from me as above; that, should I be executed, this protest might appear after my death.”

After this martyr our hero had been named, and the granduncle was very much attached to his nephew. On Father O'Neill's death, young Peter inherited, under his will, all that the priest was worth in the world, including his residence. The management of the property was assumed by Peter Crowley's eldest sister, who, some years his senior, endeavored to carry out faithfully the bequest of the deceased clergyman. Time rolled on, and Peter attaining his majority, worked with great energy on the farm which had been left to him, and, by industry and perseverance, soon converted it into a valuable property. He was always a man of exceedingly temperate habits, never having drunk a drop of spirituous liquor since he was ten years of age; and when his day of toil was ended, he applied himself to study.

Well versed in the history of his country, and deeply impressed by the dreadful punishment to which his granduncle had been subjected, he was imbued with feelings of the deepest hostility towards the English Government. Peter Crowley's grandfather was likewise mixed up in the movement of '98, and for two years he was a proclaimed outlaw; in short, he was descended from rebels. It was natural for him to be national; and, joining the Fenian Brotherhood—of which he was a member for several years—he threw himself heart and soul into the movement, fostering its designs and extending its ramifications. His nature was high-toned and loveable. He was most worthy and excellent in his family relations—the best of brothers; and, rather than cause those with whom he lived any uneasiness, he was accustomed to steal out at night, unobserved, with a view to forwarding the cause which was so dear to his heart, returning in the morning to his work, apparently unfatigued by the loss of his night's rest. The blood of the martyrs was in him, and gave him strength.

The second of this trio of heroes, John Edward Kelly, was born in Kinsale, County Cork, on the 6th July, 1840. His parents emigrated to Halifax when the child was but two years old. He went to school there, and when young, displayed a talent for drawing, for proficiency in which he received a premium. When about fourteen years of age he removed to Boston, where he served an apprenticeship to the printing

business, at the expiration of which he came to New York, where he joined the Fenian Brotherhood, in the Spring of 1860. Being an enthusiast with practical ideas, he attached himself to the military department of the organization. He was one of the original members of the "Phoenix Zouaves"—a Company which, at that time, numbered among its members several young men who afterwards distinguished themselves on many a hard-fought field in the service of the Republic—chief among them being Colonels J. P. and Denis J. Downing, Captains John D. Hearne, William O'Shea, and Francis Welply. The two last-named heroes died on the battle-fields of Spottsylvania and Ream's Station; and all the others were, more than once, severely wounded while attesting their devotion to the cause of human freedom.

Under the tutelage of Captain Thomas Kiely—a splendid military instructor of the United States Army, and a whole-souled Irish patriot—Kelly soon became a proficient in the use of the rifle and bayonet. He was indefatigable in acquiring military knowledge—both theoretically and practically—and he was seldom without "Hardee's Tactics" in his pocket. In the winter of 1860, he went to Boston, and became instructor of the Emmet Guard, which was organized by the Brotherhood soon after his arrival. So highly were his services appreciated, that, on his expressing his desire to go to Ireland for the purpose of aiding his compatriots there in making preparations for the work before them, his friends in Boston insisted on defraying his expenses home.

After remaining a few days with his old comrades in New York, he sailed for Ireland in the month of April, 1861. Since that time, up to the outbreak in March, 1867, he resided principally in Cork, where his services, in imparting military instruction to the young patriots of that city and its vicinity, under harassing difficulties, will be long fondly remembered.

Mr. Kelly opposed the proposition for the Emmet Guard to volunteer into the American service, believing they would be wanting immediately in Ireland. But when in Ireland, and seeing the tendency of events, he was a most earnest advocate of the Union cause. Kelly, it appears, never had much faith in aid from America, always contending that the men in Ireland were able to work out their own freedom; and it was only, says his most intimate associate, "after the 5th March, 1867, when he saw all the branches broken for want of a common trunk or centre to rally upon, that he admitted that an expedition from America was necessary for success." After his arrival in Dublin, he put himself in communion with the authorities of the I. R. B., and went to Cork, where he obtained work and made friends, even with Orangemen, who were employed in the same establishment. He subsequently went to London, but, disgusted with England and the English, returned to Dublin, and obtained employment on the *Irish People* when that journal was started. Here his talents were observed, and he was sent to Cork as an agent of the organization. He soon raised a company, and was commissioned a "B." During this period, his means were often at a low ebb,

but he found welcome and a home in the family of Mr. and Mrs. John Buckley, devoted Fenians, now residents of Malden, Massachusetts. He was fond of alluding to the fact that, while suffering from a severe fever, he, a Protestant, experienced the greatest care from the good Sisters of Mercy and priests in Cork.

Mr. Kelly's duties now took him constantly from Cork to Dublin, and he escaped arrest, on the seizure of the *Irish People*, by having been just ordered to the former. The latter part of 1865 found him still organizing in Cork, and encouraging the people, while the appalling scenes of the first Special Commission were being enacted around him. He always worked with such systematized caution, that he could venture on bolder undertakings than even those who were less known. At this time Thomas B. Hennessy, and a few of the Boston men, arrived, to participate in the expected struggle. Kelly took them around the city, showing them the fortifications and strategical points. It was about this same time that, as Mr. Hennessy writes, "a batch of Western officers left Cork, recalled by Mr. Scanlan. Their defection caused the utmost depression in Cork; and Kelly took his Boston friends to the meetings of the Brotherhood, and, introducing them to the different officers, assured them that numbers of others were on their way over. This action contributed, in a great measure, to re-assure the Centres, who were beginning to get disheartened when they saw the men on whom they depended for leaders deserting them."

After undergoing many privations in Dublin and

Liverpool in 1866, we find Kelly, in the Fall of that year, engaged as a printer on the Cork *Herald*, still keeping up the discipline of his men, although he had misgivings as to any movement taking place. Among the nationalists of Cork "Kelly's Men" were known as the *avant-garde*—all "dare devils like himself." He was only dissuaded from going to aid the Kerry rising, in February, by being reminded that he had "no orders;" but he made his mind up to make a certain movement to rally the people, if the leaders gave no sign of action.

On the Saturday before the rising, he called on Crowley, who was in the city, and, taking a walk with him and Hennessy, unfolded his plans to them. Crowley thought them rash; but Kelly's eloquence finally won Crowley's consent, who agreed to take part in them if something else did not occur. That "something" was the rising of the 5th. Crowley, grasping Hennessy's hand, said: "Mr. Hennessy, when we meet again it will be on the battle-field!" Hennessy promised to join Kelly's plans, but he was assigned to other duties, with the Cork forces, by Massey. He never saw Crowley again.

The youngest of the Killeoony heroes is John McClure, who was born 17th July, 1846, at Dobbs Ferry, Westchester County, State of New York. His parents were both Irish, his father, David McClure, being a native of Tipperary, and his mother, who was of the O'Donnell sept, hailing from Limerick County. They had emigrated to this country several years before, and were in respectable circumstances when John was

born. He was their fifth child, and growing up amid the simple scenes of country life, imbibed its virtues, and surrounded by the magnificence of Nature, acquired its innate nobility. When able to learn, he was sent to the "district" school of the place, from which he derived a plain English education. He continued at school until about sixteen years of age, when he came to New-York City, and, under the guidance and advice of his elder brother, William James, he obtained a very desirable clerkship, in which occupation he gave satisfaction to his employers. At this time the American civil war was at its height, and the idiosyncrasies of the lad began to exhibit themselves. On the morning of December 5th, 1863, he was missing from his post; nothing was known of his whereabouts until a note from him, of the 10th inst., stated that he was bound for Washington, having enlisted as private in the 11th N. Y. V. Cavalry, ("Scott's 900.") The efforts of his family to have him return home were unavailing, and so he entered the theatre of war.

After some months of duty at Washington, part of the time being employed as clerk in the Court Martial Rooms there, he embarked with his regiment on board a transport ship for New Orleans, where they were quartered, making occasional incursions into the Confederate country, and checking the guerillas, who were rampant. Eventually his regiment was removed up the Mississippi river, and many were the raids made by John and his comrades for supplies; and many hard rides and skirmishes he experienced through Mis-

Mississippi, Arkansas and Tennessee—now foraging, now overawing the guerillas. It was a wild and merry life, with but little of bitterness in it; and it is a fact that young McClure was never engaged in any of the pitched battles of the war. He was appointed quartermaster sergeant of his company, ("L") and subsequently quartermaster sergeant of Company "B." The war ended, and the troops marched home. John's regiment was mustered out at Memphis, Tenn., and discharged at Albany, N. Y. On a bright day, early in October, he walked into his brother's place of business much the same kindly lad as he was twenty-two months before, having doffed his military gear at Albany, and purchased a civilian's dress, "more serviceable than elegant." Again he took up the pen, and labored very constantly for over a year.

The strength of the Fenian organization had been great, its hopes high, its disasters many, and in the Winter of '66-7 it arrived at the most ominous period of its vicissitudes. Young McClure never by act or word expressed any special predilection for the movement, and it was not until two days before his departure for the British Isles, that his family knew of his determination to cast himself into the breach, and make one of the forlorn hope of Irish patriotism. There is no doubt but that he was influenced to this course by association with some of the Fenian leaders, who met together occasionally at the house where he resided. Their anticipations were bright as their designs were daring, and awoke the youth's susceptible spirit of adventure. On the 18th day of December,

1866, he set sail, with his older and more experienced Fenian companions, for the scene of Irish insurrection. They arrived at Glasgow, Scotland, early in January, and scattered to different parts. McClure went from Glasgow to Liverpool, and thence to Cork, from which latter city he wrote to his brother in New York *sub-rosa*, about the middle of February, that, notwithstanding the failure of the F. B. in America in arming their brothers at home, *they* were resolved to precipitate the death-struggle for independence with the scanty weapons at hand. He was appointed to command the Middleton District, in Cork County.

Such were the antecedents of the three gallant spirits, whose lives had become so honorably united in a common purpose.

On the night of the 5th March, Shrove Tuesday, a large body of men, armed with rifles, guns, revolvers, pikes and scythes, assembled at a given point, and arrayed in military order, they proceeded—according to a preconceived plan—to the Knockadoon coastguard station. Captain McClure was in command of this party, and made one of the most successful of the insurgent attacks.

After sacking Knockadoon coastguard station, the party proceeded to Killeagh, and were to have joined the Middleton and Castlemartyr contingents. By a mistake—which could only be accounted for by the loss of their leader, Timothy Daly, who was killed—the latter party did not meet the former; who, tired of waiting, proceeded direct to the Tipperary mountains. Returning from the Galtees, the Ballymacoda con-

tigent (which tenaciously held together, notwithstanding some defections, settled down in a remote part near Mitchelstown. Here in the defiles and gorges of the chain of mountains which extends beyond Fermoy, towards Mitchelstown, the insurgents passed their time. Some days before the fatal encounter, having been made aware that the Waterford flying column were on their trail, they changed their position, and separated into small knots, with a view of being better able to elude the vigilance of their pursuers. It is stated that Crowley was in Cork the Thursday prior to the affray; and that, disguised as a carman, he was enabled to avoid detection. We are also told that the men had ample means of escape to France or other places, but, indulging in the hope that aid would come sooner or later, they determined to the last to stand by the cause which they had embraced, and which they were confident would succeed.

The exact circumstances under which Crowley was in the wood, may not be without interest. By pre-arrangement, a friend of his (who was in full possession of his whereabouts all through) was to have met him at Kileclooney Wood on Sunday, March 31, or following day, for the purpose of supplying him with some essentials. Scouts anxiously watched, lest their visitor should by possibility pass unseen. It is supposed that they were observed, and that information was in the meantime conveyed to the authorities. Acting on this or other information, the resident Magistrate of Mitchelstown—Mr. Neale Browne—collected the district constabulary, and sent a requisition for the assistance of

the County Waterford Column. This was composed of a troop of the Sixth Carbineers, two companies of the Sixth Warwickshire infantry, some of the military train, and Royal Engineers—in all about one hundred and twenty men—commanded by Major Bell. Guided by Mr. Browne, Mr. Redmond, resident Magistrate of Dungarvan, and Sub-Inspector Rudge, the troops reached the romantic valley of Aharfoucha at day-dawn on Sunday morning. Here the collision took place. Here Crowley, Kelly and McClure resisted the combined forces; and the military are said to have been greatly impressed by their extraordinary pluck and determination.

A stream flows through the valley of Aharfoucha, towards the banks of which Kileclooney Wood slopes down. Forty men, commanded by Major Bell, surrounded it on the south and west sides, in skirmishing order; the cavalry were posted higher up in the valley, while the constabulary took possession of the Western Mountain, and the carbineers surrounded the houses on the east. The skirmishers were directed to let no one escape from the wood. One of them, perceiving a figure moving among the trees, challenged; a shot was the reply. The order was then given to advance into the wood, and a sharp fusilade commenced. Finding their hiding-place thus invaded, two of the Fenians who had been concealed, made a rush for the river, firing rapidly at the soldiers as they emerged from the trees. The military returned the fire *with vigor*.

At this moment Mr. Redmond dashed through the

military lines, under fire, in pursuit of the fugitives. He overtook Captain McClure as the latter reached the river, and grappled with him from behind. McClure tried to shoot Mr. Redmond over his shoulder, but in doing so he left himself open to the soldiers, who rushed up to bayonet him. Mr. Redmond commanded them to spare his life, and just succeeded in checking the direction of an outstretched rifle. They struggled for a short time in the water, but McClure was soon overpowered by numbers. His companion, Crowley, was more unfortunate; as he was also jumping into the river, some shots struck him and he fell mortally wounded. The soldiers plunged in after him, and drew him to the bank.

It was found on examination that one of the shots had struck the lock of his musket, breaking the third finger of his right hand, and then rebounded, making a large welt across his stomach. Another shot had entered the middle of his back, and passed out through the right axilla. He was laid on the ground, while the surgeon tried to stanch the blood by pressure. As he lay on the grass, with his eyes devoutly raised to heaven, few (says one account) "could withhold an expression of admiration and sympathy from one who had, in many respects, the qualities of a hero."

Kelly was observed by Ensign Meredith crouching behind a ditch, rifle in hand; he was summoned to surrender, and, seeing the uselessness of further resistance, threw down his gun, which was afterwards recognized as a coast-guard's weapon. He had a haversack containing a few pounds of raw pork, also

some ammunition. In his pocket-book were several entries, headed as his "journal of the campaign;" and the last entry, when five were together, was made on the 7th of March. He had also a green silk flag, with white fringe, a green handkerchief, and map of the County Cork.

An elevating interest centres on the martyr-hero, farmer Crowley. The priest was sent for, and the military surgeon, Dr. Sugrue, who staunches his wounds, read the last prayer from Crowley's own prayer book, which he always carried about him. The dying man was conscious to the last. When asked how he was, he replied, "I feel better now—you were about an hour too early; if you were an hour later I would have given you a hot reception, and a very nice morning." What he intended to convey by the remark may not be obvious; but it was believed that the remainder of the party, who were not far off, had appointed to meet at Kilclooney Wood at six o'clock that morning. Had they been allowed an opportunity of concentrating in the plantation before the military assembled, there can be little doubt that a fierce and desperate encounter would have ensued. He had been conveyed on a litter to the nearest farm-house, but the people not wishing him to die there, he had to be taken to Mitchelstown, where he received attention and spiritual consolation.

The last moments of the wounded insurgent were most impressive. For half an hour before he succumbed, a clergyman was present, ministering to the dying man the consolations of religion; and the rev-

erend gentleman, writing to a friend, describes him in the following terms: "His death was most edifying. Never did I attend one who made a greater impression upon me. He begged of me to tell his sister not to be troubled because of his death, which he hoped would be a happy one." The body of the deceased had been removed to the workhouse, and when it became known who it was, a large crowd collected outside the gate of the union, and insisted upon getting the remains, in order that it might receive the last rites in proper form. When the sister of the deceased arrived, she had some difficulty in obtaining admittance, owing to the commotion outside. The martyr was laid out in his "habit" in the dead-house, and the loving sister immediately recognized her brother. Her request to see his clothes that he wore on the fatal morning was complied with. They were the disguise which he had worn in his expedition, and she did not identify them as his own. The police endeavored to detain them, but Miss Crowley insisted upon claiming them. Besides the scapulars which he wore, he had also attached round his neck a large bronze crucifix and a little medal, the emblems of a Christian "order." The crucifix was shattered in two places, and the medal was bent, plainly indicating they had been struck by bullets. On the chest of the deceased, where the religious tokens had been worn, there was an indentation in the skin corresponding with the size of the medal, as if it had violently pressed against that part of the breast.

An inquest was held the next day, and the jury, af-

ter exhibiting some doubt, as to the right of such a large body of men firing on three fugitives, ultimately returned a verdict of death from the effects of a gunshot wound inflicted by the military while in the discharge of their duty.

The funeral took place on Tuesday, the 2d April, and awakened the strongest feelings of sympathy. About one hundred women and children, each carrying branches of laurel, formed a procession four deep; then followed a scattered group of female friends; next the hearse. The coffin was strewn with branches of laurel. The sister of the patriot walked after the coffin as chief mourner, her head covered with a dark hood, and being supported by three priests. The love in which Crowley was held by his neighbors, and their sympathy for his hero-death, was exhibited by the closing of all the shops in the town. At Fermoy, during the interval that elapsed for resting the horses, the plumes and hearse were decorated with ribbons and green boughs, and a representation of the Irish harp was placed on one of the panels of the hearse. For miles the coffin was borne on men's shoulders; and it was only when the "shades of evening" had fallen, that the corpse was placed in the hearse. The following day the remains were removed from his late residence to the place of interment at Ballymacoda. In consequence of a request previously made by the relatives of the deceased, there was not a renewal of Tuesday's demonstration; but the mournful procession which followed the corpse expressed their sorrow and regret for the deceased in another and more pathetic

form. Among the persons who attended the funeral a large body of stalwart, yet respectable young men, were present. After the burial requiem had been chanted, and the prayers of the people offered for the soul of the departed, all that was mortal of Peter Crowley was deposited in the earth, amid the sorrow and weeping of some, and deep expressions of vengeance from others.

Crowley's comrades, McClure and Kelly, were conveyed to Cork Jail, and were arraigned at the Special Commission held in that city on Monday, 21st May, 1867, by Chief Justice Monaghan, Justice Keogh, and Justice George. Their appearance in the dock is thus described: "The demeanor in court of Edward Kelly, as well as that of Captain McClure, was marked by an air of the most complete and unassumed indifference. When called on to plead, each rose from his seat, and in a gentlemanly, firm manner, answered "not guilty." Kelly and McClure looked remarkably well, and appeared to enjoy the change of scene from the cell to the dock. No one, looking at them in a casual way, would suspect them of having taken a part in a most daring and memorable incident of the late insurrection. They are accused of being two of the three men whose bravery, when surrounded by the soldiers and police in Killeloney Wood, called forth the admiration of the military. The third of that brave trio—Peter Crowley—was shot dead whilst attempting to cross the river which outskirts the wood. Looking at the boyish face of Kelly, and the almost equally youthful and quiet countenance of McClure,

one could scarcely be convinced how they could have possessed so much pluck and endurance as they, admittedly, displayed."

On the third day of his trial, McClure was induced, after persistent persuasions on the part of the U. S. Consul, Eastman, and his solicitor, to plead guilty, with the "distinct understanding that the United States Government would interpose for his release on giving security to leave the country." On the same day Kelly was found guilty. On the next day, Friday, 25th May, they were put forward and, the Clerk of the Crown having formally asked McClure if he had anything to say why sentence of death should not be passed upon him, the prisoner rose in the dock, and resting his hands on the front of it, addressed the Court in a loud, calm, manly voice. He said:

"My lords, in answer to the question as to why the sentence of the court should not now be passed upon me, I would desire to make a few remarks in relation to my late exertions on behalf of the suffering people of this country—in aiding them in their earnest endeavors to obtain the independence of their native land. Although not born on the soil of Ireland, my parents were, and from history, and the traditions of the fireside, I became conversant with this country's miseries from my earliest childhood; and as the human breast possesses those Godlike attributes which make men feel for suffering mankind, I felt for Ireland's wrongs, and for her moral degradation, and I felt that I should assist her people in their attempt to right those wrongs and raise her from degradation. I shall not now state to what cause I attribute the failure of the late insurrectionary movement. Nor shall I express a sorrow I do not feel with regard to my own conduct. I am fully satisfied of the righteousness of my every act in connection with the late revo-

lutionary movement, having been actuated alone by a holy desire to assist in the emancipation of an enslaved but generous people. It affords me more pleasure to have acted as I have done in behalf of the Irish people, than any event that has occurred to me during my eventful, though youthful existence. I would wish it to be distinctly understood—and I say it here standing on the brink of an early grave—that I am no filibuster or freebooter. I came to this country with no personal object to gain—with no desire to my own advancement. I came here solely out of love of Ireland and sympathy for her people. If I have forfeited my life in having done so, I am ready to abide the issue. If my devotion to an oppressed people be a crime, I am willing to receive the penalty of that crime, knowing, as I do, that what I have done was in behalf of a people whose cause was just and holy—a people who will appreciate and honor a man, although he may not be a countryman of their own, but still a man who is willing to suffer in defence of that divine American principle—the right of self-government. I would now wish to tender to my learned and eloquent counsel, Mr. Heron and Mr. Waters, and to my solicitor, Mr. Collins, my sincere and heartfelt thanks for the able manner in which they have conducted my defence. And now, my lords, I trust I am prepared to submit to the penalty it will be now the duty of your lordships to pronounce upon me. I have no more to say.”

The prisoner then resumed his seat, his firm, though gentle manner, the mild restrained enthusiasm which marked those parts of his address which referred to his love of Ireland, making a deep impression on his audience.

Edward Kelly having been asked in like manner if he had anything to say why sentence of death should not be passed upon him, then rose and rested his hands on the front of the dock. He looked rather pale, but his paleness was evidently not caused by trepidation, but by the effort to collect his ideas. His keen, flash-

ing, southern eyes were fixed steadily on the judges as he spoke, except where he quoted from the Psalmist, and then they were raised upwards; and for a while the prisoner appeared transported in thought to that world to which he was soon to be consigned. He said:

“My lords, the novelty of my situation will plead for any want of fluent utterance, and I therefore pray your indulgence if I am necessarily tedious. I thank the jury for their kind recommendation to mercy, which I know is well meant, but also knowing, as I do, what that mercy will be, I can only wish that their recommendation will not be acceded to. Why should I fear death! What is death! The state of passing from this life into another. I trust that God will pardon me my sins, and that I will have no cause to fear entering the presence of the Ever Living most Merciful Father. I do not recollect having in my life injured a human being intentionally, and in my late conduct I see no cause for regret—I mean in my political conduct. Why then, I say, should I fear death. I leave the dread of death to such despicable wretches as Corydon and Massey. Corydon! a name once so suggestive of sweetness—now the representative of a loathsome monster. If there be anything that can add to Corydon's degradation—”

Chief Justice—“We are willing to give you every latitude, but we cannot sit here and allow you to speak of third parties who have been examined as witnesses. Strictly speaking, you are only to say why sentence should not be passed upon you, but at the same time we are very unwilling to hold a very strict hand, but we cannot allow you to cast imputations upon third parties, witnesses, or others, who may be examined against you.”

Prisoner—“Well, as near then as I can answer the question put to me, I shall say that, remembering that every generation since England obtained a footing in Ireland have been sufferers from her rule—remembering that every generation have risen to protest against the occupation of our native soil by England—surely I may say that is an answer to the question why sentence should not be

passed on me. In the part I have taken in the late insurrection, I was only conscientiously discharging my duty. Next to serving the Creator, I believe it is man's solemn duty to serve his country. [After a long pause he continued.] My lords, I have no more to say, except to quote the words of the Psalmist, premising that you will understand me to speak of my country as he speaks of his—"If I forget thee, O Jerusalem, let my right hand forget her cunning. If I do not remember thee, let my tongue cleave to the roof of my mouth; if I prefer not Jerusalem above my chief joy. Remember, O Lord, the children of Edom in the day of Jerusalem, who said—Raize it, raize it, even to the foundation thereof. O daughter of Babylon, who art to be destroyed, happy shall be he that rewardeth thee as thou hast served us." In conclusion, my lords, I wish to return my solicitor, Mr. Michael Joseph Collins, my thanks for his untiring exertions in my behalf. To Mr. Heron also, I return thanks for his able defence of me. My lords, I have no more to say."

The prisoner then sat down. At that part of his address where he referred, in terms so *apropos*, to the informer, Corydon, the soft and serene expression which his face hitherto wore, changed, and his eyes flashed scornfully and wrathfully. After the interruption of the court, he paused for a while, and then, in a voice of deep emotion, and with an air of sudden inspiration, he repeated the beautiful words of the Psalmist, "And his soul went forth with them;" and when he had concluded the quotation and lowered his eyes, he appeared exhausted from the rush of thought and feeling which the words produced. As he repeated the psalm, the Chief Justice leant his head on the bench and appeared deeply moved—in fact very few eyes in the court-house were dry. Sentence of death was then pronounced.

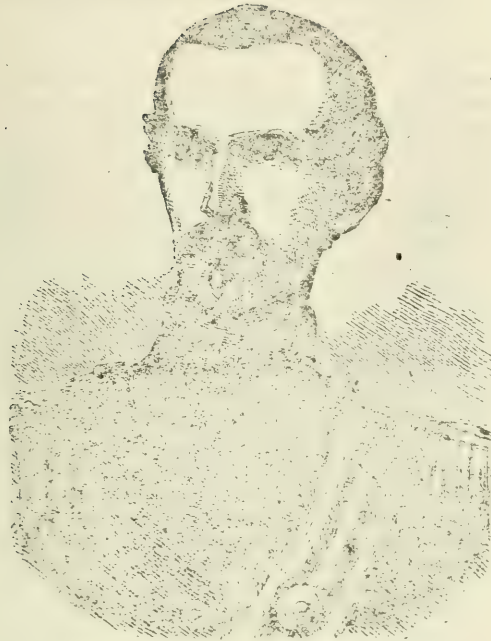
McClure is about five feet seven inches in height, light and active, with dark complexion, and reserved manners. In social life he was generous, good-natured and temperate. As a member of the New York Mercantile Library Association here, the books he usually applied for were on military and kindred subjects. His chief study, just before he espoused the Irish cause, was "Campaigns of Napoleon," and Doheny's "Felon's Track."

Kelly is about five feet six inches in height, slightly but compactly built, with a fair complexion, oval face and blue eyes. He was "a swift and clean compositor," a proficient French scholar, and had a habit of insisting on everything being done well and to the minute. His temperament is highly poetical, and he possesses considerable literary talent. Among his other avocations in New York he was writing a tragedy, and had it nearly completed, when his passion for military knowledge absorbed all his faculties. He was brought up in the Protestant faith; but his joining his comrades in the "Rosary of the Blessed Virgin" during their lonely vigils in Killeooney Wood, shows how little he was actuated by religious prejudices.

MICHAEL DOHENY, GENERAL MICHAEL
CORCORAN, JOHN O'MAHONY, JAMES
STEPHENS.

Sketch of Michael Doheny—Youth at the Plough—Desire for Knowledge—Studies French and Latin—Life in London—Writes for the Press—Admitted to the Bar—National Orator in the O'Connell Movement—Joins Young Ireland Party, and Writes for the "Nation" and "Tribune"—Escapes to France and Comes to America—Life in New York—Hopes for Ireland—Death. Sketch of General Corcoran—Son of a Half-Pay Officer—In the Constabulary—Emigrates to America—Joins the 69th N. Y. B. M.—Orderly Sergeant, Lieutenant, Captain—Complimented by the Inspector-General—Elected Colonel—Refuses to Parade the 69th in Honor of the Prince of Wales—Court-martialed—Breaking Out of the Rebellion—Advises the 69th to go to the War—Court-martial Quashed, and Popular Applause—Services of the 69th—Corcoran Captured at Bull Run—In Prison—Held as Hostage for a Privateer—Cabinet Council on Exchange of Prisoners—Liberated—Great Ovation—In the Field Again with the Irish Legion—Defeats Pryor and Raffles Longstreet—Defence of Washington—Death. Sketch of John O'Mahony—Position in '48—What Influenced his Political Career—Hereditary Disputes Between the O'Mahonys and the Earls of Kington—Death of O'Mahony's Father—Leaving the Family Residence at Kilkenny—First Ideas on the Land Question—Shelters the Young Ireland Outlaws—Joined by Savage—The "Reaping of Meenough"—Riots in September—Projects the Release of O'Brien—Perilous Escape—To Wales—To France. Sketch of James Stephens—Civil Engineer—In Kilkenny in '45—Takes Charge of O'Donoghue en route to Smith O'Brien—Remains with the Latter—At Killenaula and Ballygarry—On the Hills—Escapes to France—O'Mahony and Stephens in Paris—Join a Revolutionary Society—O'Mahony a Gaelic Tutor—Stephens the French Translator of Dickens—O'Mahony goes to America—Stephens to Ireland—Arrested—Repudiates British Law Before the Magistrates—Escape from Prison—In America—Retirement—O'Mahony describes his Present Position.

THE extension, if not the very existence of modern Fenianism, is indebted to the men whose names head



this chapter. The existence of Irish disaffection is not owing to any one man, but to the sufferings of many from generation to generation. Doheny has truly said that "the disaffection of Ireland is immortal." But there is none the less honor due to those who combine, organize and direct disaffection, so that it may cope with oppression, redress grievances, and finally confer freedom. Of these fosterers of disaffection, founders of the Brotherhood, and propagandists of the organization, two are in the grave, and two in retirement. The memories of the dead are eloquent with great truths nobly spoken, great deeds nobly done, great examples which cannot be buried with them. The acts of the living speak for themselves. The life and services of either of these four men might easily and instructively be extended to a volume; but a brief sketch is all that can be furnished here. Being widely known, however, there is less necessity for detail than in the case of others treated of in this book.

The name of Michael Doheny is intimately associated with every movement suggested by the ills of his country, or projected for their amelioration, for more than a quarter of a century before his death. His life was an evidence at once of the untameable nature of indigenous ability, and of the cares which unconquerable devotion to an idea engenders and overcomes. His first twenty years were as remarkable in their unlettered throbings, as the remainder were active in the rostrum, at the hustings, in the journal office. In those latter years he was but putting into energetic and eloquent service the visions and impulses that vis-

ited him at the plough. Actually, he was an inspired plough-boy.* Doheny boasted of the transition, was proud of alluding to his youth; and looking at the position he attained, the speeches he made, and the various writings, both in prose and verse, from his accomplished pen, there are none who can deny the assiduity and energy that must have produced such results.

Doheny was born 22d May, 1805, at Brookhill, near Fethard, County of Tipperary. His early life, like that of so many eminent men, both dead and living—who have left their deep track on the road of renown, like Jackson and Clay, Webster and Douglas, Corwin and Lincoln, and Andrew Johnson—was occupied in labor—learning those needs which they, in after life, so eloquently advocated for the masses. The son of a small farmer, young Doheny's days were chiefly spent at the plough, not always attentively driving it, to be sure, but ostensibly so; drinking in the memories which every hill and stream, the clouds of sunshine and shower overhead, and the gray ruins about him presented, so typical of his country's gloom and glory.

His early education was scanty, but a natural desire for books, and the unappeased hunger for knowledge which their perusal created, soon made a suggestive foundation for the future orator, writer, and patriot. He had closely approximated to the age of manhood before an opportunity presented by which he could approach the classics. With his usual energy, he attacked and captured Latin and Greek; and fortified with them, he graduated from the field into the study

as a tutor, and was thus enabled to solidify by use the acquirements he had made. An intellect so strong and so busy soon found utterance by the pen; and after some telling essays on local politics, he mainly supported himself by its use on the London press, when he sought that city to put in his terms at the Temple as a Student of Law. The means adopted for a living in London necessarily made him a student of the leading men who ruled Great Britain, the measures they discussed, the whole *modus operandi* of British politics. In after life, this knowledge was of the greatest use in the frequent impromptu debates his great powers as a public speaker forced him into.

Admitted to the bar, he returned to his native country, and, fixing his headquarters in the ancient city of Cashel, he was ever afterwards identified with it until increasing force and an irrepressible influence made him not only a potent man in his county, but in the nation. Ever throbbing with the feelings of the people, he became one of the most popular tribunes of our day, at times rivaling even O'Connell. In the days of the Catholic Association—in the brilliant fight for Catholic Emancipation, under the lead of Richard Sheil and O'Connell; in what was known as the "tithe war;" in every struggle, great or small, in which a popular right was involved, there was to be found the trenchant logic, the impassioned force, the popular energy, the poetical sympathy, the broadly-enunciated principle, the bold invective, the high-souled apostrophe—to suit the mood or measure of the people—from the glowing heart and gifted head of Michael Doheny.

* '98 and '48—p. 347.

His patriotic energies expanded with the increasing necessities of the Repeal cause. He was one of the most ready and reliable of the gifted band which circled "The Liberator" throughout the great Repeal movement; and mixing with the still younger blood which infused its passion and power into the national cause, in prose and verse, through the columns of the *Nation* newspaper, contributed many powerful and timely essays and poems to that then splendid organ.

His prose writings were characterized by a suggestive force and simplicity of argument which quickly supplied the populace with ready reasons for national discussion; while his occasional poems breathed a loving and strong effulgence of inspiration caught from the hills and vales of his dear Tipperary. In everything he then, or indeed ever, wrote, there was a direct, unswerving, hopeful purpose, growing from or guiding his intense and devoted love of country. He touched nothing but to draw a lesson of perseverance from it, to incite to noble passion in the public mind. He was the author of that apothegm which became one of the world-honored shibboleths of the "Young Ireland" party—"EDUCATE, THAT YOU MAY BE FREE!" and by every means he sought to illustrate the ennobling sentiment by pen and tongue.

In addition to his constant labors in the sanctum and on the rostrum, he was a member of the celebrated '82 Club, an active member of the Council of the Repeal Association, and the important sub-committees to which were variously referred the questions of finance, Parliamentary duty, internal resources, which

agitated or illustrated the times. Some of the ablest reports were from his pen.

When the younger branch of the Association declined to be the simple satellites of O'Connell, he joined them, as he ever was the advocate of free speech and the right to differ. In the new organization, the Irish Confederation, he was still more eminently prominent and effective, and in '48, after the "three days of Paris" had lit the fires of popular revolution all over Europe; after the prosecution of O'Brien, Meagher and Mitchel, and the still further prosecution and banishment of the latter, Doheny flung himself wholly into the revolutionizing of the island by force of arms.

He wrote in the *Irish Tribune*, and on the seizure of that and other national journals, took to the hills with the other leaders. The adventures he passed through with a price on his head, the untiring energy with which he went among the people, the passionate yearnings of his soul, as well as the endeavors of his associates, have been—as far as circumstances would allow—recorded by his own pen.

It is not the time for us to follow him through all the hopes and heart-burnings, the attempts and devotion of that gallant band. Suffice it, they were unsuccessful; and Doheny, making his escape as a drover, first found his way across the Irish Channel to London, thence to Paris, and ultimately to the United States—landing in New York early in 1849. He made this city and its vicinity his home to his death. For many years he practiced as a lawyer, became

known in politics and letters, as an able speaker and lecturer, and otherwise endeared himself to his friends and many men of distinction by those loveable characteristics of head and heart which we can but faintly analyze here.

Amid the many vicissitudes surrounding the exile, Michael Doheny kept "the whiteness of his soul." The same star that shone over his hopes in Ireland and led him into exile, was his beacon and his glory in it. His brain was ever illuminated by it. It was to him the eternal and unquenchable lamp in his temple of immortality. The hopes and feelings which bent in homage to it, found vent in participation in various Irish societies and military organizations, and in the constant use of his pen and tongue, whenever opportunity presented to expound or give aid and comfort to the darling projects of his manhood; in all of which he was lovingly and enthusiastically seconded and animated by a devoted wife, and by a sister-in-law—now, alas, no more—to whose untiring solicitude, under all circumstances of his career, he has left us most touching and ennobling testimony. He was a member of every society started in New York for the dissemination of Irish principles, or the aid of those who kept alive the patriotic fire in Ireland. His connection with the Fenian Brotherhood has already been noticed. His soul was centered on it. It presented to him a prospect which would more than repay his life-long labors—under every change of fortune—to the great cause. But he passed away before it had assumed the gigantic proportions which set the world wondering.

After a brief illness, Doheny departed this life at his residence, Eighteenth street and Ninth avenue, South Brooklyn, at half-past nine o'clock, on the night of the 1st of April. The suddenness of his decease sent a thrill through the hearts of his comrades and friends, as well as the community at large, which has not yet, even after five years, been tempered down to a calm comprehension of the sorrowful fact. Those who knew and loved him, those who had such hopes in his faith, can scarcely yet realize that Michael Doheny is no more—that the hearty energy and eloquent tongue, which once indicated so stalwart a physique and so luxuriant an intellect, can no more come within our circle to enliven us with his brilliant and loving reminiscences, and exalt us with the holy purposes in which he alone lived, moved, and had a being. Doheny was one of those firmly-knit, hearty men, whose departure to the "shadowy land" we rarely permit ourselves to think of, much less to dwell on. In his instance, the love and affection his purity and innocence of heart instigated and won, placed at a still more remote distance any anticipations of so sad a reality.

The officers of the Sixty-ninth Regiment, and those of the Phoenix Brigade, attended his remains to the Calvary cemetery, where all that was mortal of the exiled orator, poet, patriot and man, Michael Doheny, was lowered into the grave by John O'Mahony, Richard O'Gorman, John Savage, Captain John Kavanagh, Patrick O'Dea, and John Hughes, who were his associates in Ireland.

While presenting a flag to the Irish Brigade, and alluding to that previously presented to the "Old 69th," Judge Charles P. Daly made touching allusion to the faith of the Irish soldier as represented by Michael Corcoran. "At the head of it (the 69th)," he said, "was the noble-minded, high-spirited and gallant officer, to whom so much of its after-character was due—a descendant by the female line of that illustrious Irish soldier, Patrick Sarsfield, Earl of Lucan, whose name is identified with the siege of Limerick, and who fell fighting at the head of his brigade upon the bloody field of Landen. * * * Colonel Corcoran is now within the walls of a rebel prison, one of the selected victims for revengeful Southern retaliation; but he has the satisfaction of feeling that he owes his sad but proud pre-eminence to having acted as became a descendant of Sarsfield." At the same fight—the siege of Limerick—which made Sarsfield immortal, the O'Corcoran's of Sligo were not without a representative who inspired the muse of Carolan. In the second volume of the *Irish Minstrelsy* (Hardiman), will be found a hearty song from the Irish, commencing—

"O'Corcoran, thy fame be it mine to proclaim,"

in honor of one of the heroes of that struggle. Thomas Corcoran, an officer in the British service, returned from the West Indies, and having retired on half-pay, was, in the year 1824, married to Miss Mary McDonogh. Of this union sprung Michael Corcoran, who was born on the 21st September, 1827, at Car-

rowkeel in the County of Sligo. After receiving an English education, he spent some three years in the Irish Constabulary establishment—resigned this position, and emigrated to America in 1849. Gifted with a keen, clear intellect, and having nothing to rely on but his own exertions, he was almost immediately employed. He exhibited directness of purpose, unimpeachability of action, and strong natural talents. The former made him friends, and the latter kept awake an honorable ambition, which subsequently led to distinguished position.

The military career of Corcoran may be dated from his entrance into the 69th Regiment, N. Y. S. M., as a private. Here the military passion which was strengthened by early discipline, developed, and he became Orderly Sergeant, Lieutenant, and Captain, in which position the troubles on Staten Island, known as the "Quarantine War," found him. He was then Senior Captain of the Regiment, and the Inspector-General's report paid him a very marked tribute: "What I might say of Captain Corcoran, commanding Company A, as to his military knowledge, would not add to his already well-known reputation as among the best, if not the very best officer of his rank in the first division." On 25th August, 1859, Captain Corcoran was elected Colonel, to fill a vacancy; and from that time his name and that of the Regiment were synonymous. The former was brought before the whole country on the occasion of the visit of the Prince of Wales to New York. Corcoran deeply sympathized with the cause of Irish Nationality; he

was the personal friend of several of the exiles who were prominent in '48, and, last—not least—was one of the founders of the Fenian Brotherhood. He declined to parade the Irish-born citizens under his military command, to do honor to the son of a Sovereign under whose rule and in whose name the best men raised in Ireland for half a century were banished. He was consistent with the heroes with whom tradition associated his blood, not less than with the corps he commanded; his own theories, and the principles of the Brotherhood he sought to extend. This action brought Corcoran under considerable censure and a court-martial; but there was a speedy change in the opinion of those who thought the ruthless conduct of Great Britain to the Union during the war a base requital for the hospitality extended to the heir-apparent.

Colonel Corcoran's action at the breaking out of the Rebellion was quite characteristic of his patriotic character. His unselfish and upright course was one of the most severe blows the sympathizers with secession in the North received. Many of the officers of the 69th were doubtful of the propriety of "turning out" while their Colonel was undergoing a court-martial for an act which they justified. Immediately, Corcoran, in a public letter, implored them not to take him into any account, but to stand by the flag of the Union and the sacred principles involved in its sustinment. The court-martial was quashed; the Union sentiment of the Irish rushed like a torrent into the ranks of the army; and the 69th left for the seat of war, attended by one of the greatest demonstrations recorded in the history of New York.

In the progress of the arduous labors assigned to his command, Colonel Corcoran won the esteem of the heads of the War Department, and the applause of the United States officers with whom he co-operated. As the bulwark and *avant-garde* of the brigade, having in special charge the defence of the principal avenues from Virginia into Washington, the 69th won enduring honors. All through its service—at Annapolis, along the railroad to the Junction; at Georgetown; during the building of Fort Corcoran—a name conferred by the War Department—along Arlington Heights; at the relief of the Ohio troops at the railroad near Vienna; the various midnight alarms and preparations in and out of camp; and the subsequent movements at Centreville, ending at the battle of Bull Run—the indomitable Colonel gave his regiment unceasing examples of courage and patriotism. He greatly distinguished himself at Bull Run, and we believe was the only one officially chronicled (see General Sherman's report) as having brought his regiment off the field in a hollow square.* In this duty Corcoran was wounded, and soon after captured. For some time he was prisoner in Richmond; afterwards at Castle Pinckney, Charleston harbor; and in anticipation of an assault by the Port Royal expedition, he was removed to Columbia, in the interior of South Carolina. Soon after his capture, he was offered liberation on condition that he would not again take up arms. Indignantly repel-

* See "Notable Men of the Time," &c., 2d Edition; Frank Moore, N. Y., G. P. Putnam; from which this sketch is condensed.

ling the overture, he avowed his faith in the Union, and declared he would take up arms just as soon as circumstances would permit.

Upon Colonel Corcoran, probably more than on any other of the Union prisoners, was public attention fixed at that time. The announcement that he was chosen as one of the hostages for the safety of the privateers, condemned to death as pirates, sent an indignant thrill of pity and shame throughout the North, and fixed more intently and impatiently the minds of thinking men on the subject of a general exchange of prisoners; and a commission, composed of Hiram Barney, Esq., Collector of New York, Judge Daly, and Messrs. Richard O'Gorman and John Savage, Esqs., was induced to proceed to Washington to confer with the Cabinet and Congress on the immediate and humane necessity of such a proceeding. For several days the Committee were actively engaged canvassing the leading minds at the seat of Government, and on the 10th December, they were invited by the President to attend a full Cabinet council. Their efforts were satisfactory in an eminent degree.*

In August, 1862, Colonel Corcoran was exchanged, and immediately commissioned by President Lincoln as Brigadier General, to date from the day of his capture. The progress of Corcoran from prison to New York, through camps, cities and towns, was a brilliant and marvelous ovation, and served only to bring out more fully the dignity of his character, and to develop his dormant talents in a very remarkable manner.

* "Notable Men," &c., p. 52.

His speeches, in reply to municipal addresses and popular outbursts, attracted universal attention to him as a man of prompt thoughts and felicitous expression, as well as of unflinching courage and decisive action.* Immediately entering on his new duties, he recruited and organized the famous "Irish Legion," and was in the field by the middle of November, reporting to Major General Dix at Fortress Monroe. He immediately encamped at Newport News, and towards the end of December proceeded to Suffolk. In January General Corcoran, in command of several details from the various regiments of the division, was sent to check a movement of the rebels, under General Pryor, across the Blackwater. At four o'clock, on the morning of the 30th, the troops struck the enemy near a deserted house, from which the fight that ensued took its name. The rebels were repulsed, and the General commanding, Major-General Peck, issued the following order:

"HEADQUARTERS, SUFFOLK, VA., Feb. 5, 1863.

"The commanding General desires to thank Brigadier General Corcoran and the troops assigned to his command, for their good conduct and gallant bearing in the engagement of the 30th January, 1863, at Deserted House, which resulted in driving the enemy to the Blackwater."

In April Longstreet and Hill invested Suffolk with over thirty thousand men. During this siege General Corcoran, who had been assigned to the command of the first division of the Seventh Corps, made a recon-

* It is to be hoped that these addresses, and especially his correspondence with Captain James B. Kiker, and other friends, portions of which have found their way into print, will be collected and given to his countrymen entire.

noisance, with about five thousand men, to find out the position and strength of the enemy, and had a brisk engagement on the Edenton Road, uncovering the enemy's position and driving him from the breast-works. This gallantry again drew forth the special congratulation of the Department Commander. In consequence of the disability of General Peck, who was confined to his bed, the chief command devolved on General Corcoran, who completely baffled Longstreet, who raised the siege after a month's vain efforts, and after the raising of most extensive works to effect his object. The rebels driven over the Blackwater, Longstreet being compelled to retire, the evacuation of Suffolk was decided on; and the important duty was assigned to Corcoran. He was now placed in command of the defences of Portsmouth; thence to the Department of Washington, and assigned an important position for the defence of the Capital. His headquarters were at Centreville, and subsequently at Fairfax Court House, where occurred the sad accident which deprived (on 22d December, 1863,) the army of the Union of one of its most devoted officers, and the future army of Ireland of an efficient leader, who hoped to culminate his military career on an Irish battle-field for Irish rights.

General Corcoran was, as stated, one of the founders of the Fenian Brotherhood, and through the days of its trials one of its most hopeful workers. He saw it spread to be a power, to vindicate its military character on the field for republican liberty and the Irish name; was one of the Central Council, and gave

every facility to extend its ramifications through the army, so that the best and bravest soldiers might be enlisted in the cause so dear to his heart.

On the banks of the Suir, at a place called Mul-lough, in the County Tipperary, there lived, in the beginning of '48, a gentleman farmer of ample means and thorough education, of unassuming manners and devoted patriotism, in whose warm southern nature a deep knowledge of the ancient Celtic tongue and misfortunes brooded and tinct with a silent but lofty veneration and enthusiasm, the hopes and aspirations which at the period manifested themselves in the Young Ireland party—who, in a word, was a "rebel;" a pure-souled, high-hearted, courageous, and in his district—which encompassed the counties of Tipperary, Waterford,* and Kilkenny—most powerful rebel. His name was John O'Mahony.*

O'Mahony was born at Clonkilla, a lovely spot on the south bank of the Funcheon, as it flows out of Mitchelstown demesne, and reared at Kilbenny, with which the pleasantest associations of his early life are connected. With it also are connected memories which are deeply and intensely reflected in his political career. Kilbenny had been the first resting place of the branch of the O'Mahony's which settled in the neighborhood. They held it of the Earls of Kingston; who in turn held Clonkilla of the O'Mahony's. Their families were hereditary and bitter enemies, and

* '98 and '48, pp. 352-3.

on the death of John O'Mahony's father, who had been a powerful Nationalist, and with whom the lease of Kilbenny expired, the fiat went forth that the O'Mahony's should be exterminated, as there could not be "two lords" in that neighborhood. To be thus compelled to leave the hearth which had become sacred by family associations, at the will of an upstart Saxon lord, was like tearing out the heart of O'Mahony. It was in 1840, while pacing for the last time the deserted rooms of the old house, which still stands over the weird town Loch-na-Anna, that John O'Mahony first conceived those ideas on the Irish Land question, which he has since brooded over and advocated until they have become a distinguishing characteristic of Fenianism. He learned to feel for the other victims of the Irish Land law by the poignancy of his own grief and indignation. Against such wrongs he did not see the use of what was called "Constitutional agitation;" and it was not until he saw the young Irelanders about to take the field that he exerted the influence which his family wrongs and his associations with the people gave him.

When the leaders took "to the hills," he succored, aided, and cheered them, and when they were arrested, wandering outlawed through the island, or seeking the shores of America and France, O'Mahony still brooded over the wrongs and sorrows of the fatherland. He could not leave his native hills. He looked down the golden valley of the Suir, and said, as Cromwell said when gloating over the same scene, "This is a country worth fighting for." Looking for O'Brien

and Meagher, John Savage met O'Mahony, and they remained together, organizing the country while any hope remained. Doheny says, "they spent many anxious nights in counsel together, when it was supposed all spirit had left the country. The first ostensible object that brought the people together under their immediate guidance and control, was the reaping of a field of wheat belonging to O'Mahony. A vast crowd, amounting to several hundred stalwart men, assembled. They had scarcely entered on their labor when the approach of a troop of horse was announced. O'Mahony and Savage were compelled to retire. The military cavalcade rode through the people and the corn, but the reapers desisted not, giving no pretext for any arrests or further outrage from the soldiers."* The time for defiance and resistance was yet some weeks ahead. Savage at once threw the inspiring scene into the following verses, to a popular air:

THE REAPING OF MOULOUGH.

Air—"IRISH MOLLY O."

If Nature gave to human life a centuried length of years,
And with them gave the strength of mind for which age only
fears,

I'll bless that glorious harvest-day, and chronicle the date,
For 'tis a smile 'midst mem'ry's tears for sorrowed 'Forty-eight.

From far and wide the Reapers came, through love our cause they
bore,

From Crommeragh's wild to Slievenamon—from Grange to Galtee-
more;

* Doheny's "Felon's Track," p. 157-8.

Like streamlets rushing to the sea, like wreck'd men to a rock,
They hurried down, and gathered at the Reaping of Moulough.

God bless the sturdy Reapers! and God bless the mind that gave
The thought that made their sinews aid and help the outlawed
brave!

The minds that live in noble deeds, all earth-made vaunters mock,
And souls like yours are Freedom's hope, ye Reapers of Moulough!

Oh! bend the Reapers joyfully!—the hook with fervor plies,
And maidens of the sunny south bind up the falling prize!
Oh! may the tyrants of our soil so fall before our wrath,
And wives of Irish victors aid to bind them in their path!

Bright thoughts of Freedom 'woke my mind, as bound was stook
and sheaf;

There thousands not less noble souls around the noble Chief,
And eager waited but the word to make each stook a rock—
To plant the Flag of Freedom at the Reaping of Moulough!

The organization of the disaffected districts resulted in the insurrectionary movements in Tipperary and Waterford, which commenced on the 12th September. O'Mahony, by a series of really startling adventures, eluded the vigilance of the police. He was in Clonmel during the trial of O'Brien, organizing a force to attack the Court House, when he was discovered, and saved himself by leaping from a back window. He ultimately escaped from Island Castle, between Bonmahon and Dungarvan, in the County Waterford, in a collier, and was landed in Wales, where he remained for six weeks, until an opportunity offered for his conveyance to France. He resided in Paris for five years.

James Stephens is a native of the City of Kilkenny, and is now, probably, between forty-three and forty-four years of age. He received a good education, which he has continued to enlarge and improve. He was by profession a surveyor and civil engineer, and during the latter years of O'Connell's repeal agitation he was engaged on the great Southern and Western Railway works, at Inchicore, Dublin. About this time politics commenced to throw their fascination over the young engineer, and he became an attendant at the clubs. In the early part of '48 his professional duties brought him from Dublin to Thurles, in the County of Tipperary, and in the Summer he took advantage of his proximity to Kilkenny to visit his parents. While in Kilkenny an incident occurred which changed the whole current of his life—that was the arrest in that city of Mr. Patrick O'Donohoe, who was entrusted with dispatches from Dublin to Mr. O'Brien. "He proceeded on his mission to Kilkenny," says Doheny, "and there applied to one of the clubs. He was known to none of the members, and became at once the object of suspicion. It was, accordingly, determined to send him the rest of his journey under arrest, and Stephens and another member were appointed to that duty. They proceeded to Cashel, where Mr. O'Donohoe was warmly welcomed by Mr. O'Brien, whose fate he thenceforth determined to share. Mr. Stephens came to the same resolution; but the other guard refused to commit himself to fortunes which appeared so desperate. With Messrs. Stephens and O'Donohoe this very desperation acted

as the most ennobling and irresistible inducement. They clung to him to the last, with a fidelity the more untiring in proportion as the circumstances portended imminent disaster and ruin.* All through O'Brien's movements Stephens exhibited an earnestness which won the approval of all who witnessed it. At Killen-aule, when O'Brien's party threw up some barricades to intercept the passage of a troop of dragoons, young Stephens suddenly raised his rifle and covered the officer in command; his finger was on the trigger. "One moment," says Mitchel, "and Ireland was in insurrection." Dillon sternly ordered him to lower his rifle, and the officer, pledging his honor he was not seeking the arrest of O'Brien, was led through by Dillon himself. At the Ballingarry affair, Stephens, with McManus, and the late Captain John Kavanaugh of the Irish Brigade,† was clear-sighted and efficient. After the failure of O'Brien's movement, he had many adventures with O'Mahony and Doheny, and finally escaped to France.

At this period, the Continent of Europe generally, and Paris particularly, was inwoven with a network of secret political societies, at once the terror and the offspring of the sway of tyrants. They had peculiar fascinations for those whose former attempts at rebellion had proved failures, simply for the want of previous organization of the revolutionary elements. O'Maho-

* "Felons' Track," p. 96.

† This gallant officer, whose first wound for liberty was received in his native land at Ballingarry, fell defending his adopted country on the field of Antietam, 17th September, 1862.

ny and Stephens soon conceived the idea of entering the most powerful of those societies, and acquiring the means by which an undisciplined mob can be most readily and effectually marched against an army of "professional cut-throats." Accordingly, they became enrolled members and pupils of some of the ablest masters of revolutionary science which the nineteenth century has produced. In one point alone they neglected to copy from their continental instructors—they devised no means of visiting with summary chastisement such members of their organization as were led by ambition, arrogance or cupidity, into the unpardonable crimes of treason and insubordination.

Stephens was an accomplished linguist, and, in time, his knowledge of the French language enabled him to contribute to the *feuilleton* columns of the Paris newspapers. Every succeeding effort of his astonished those who were aware of his foreign birth and education; but his great triumph was his success in translating Dickens into French. Those translations, which were published, we believe, in *La Presse*, attracted the attention of the Paris literary world, and were a source of extreme surprise and gratification to the distinguished author of "David Copperfield." His efforts as a *litterateur* thus brought Stephens a handsome compensation, which, added to certain remittances which O'Mahony received from time to time out of the remains of his Irish patrimony and the product of his exertions as instructor of Gaelic to some students of the Irish College, enabled our exiles to live comfortably enough.

After working night and day at their tuitions, translations, and above all, their revolutionary schemes, it was decided to make another attempt, and on a practical basis, to organize the Irish race at home and abroad, and continue, on a foundation of discipline, the struggle for national independence.

O'Mahony came to America towards the close of 1853, and Stephens went to Ireland. Under the cognomen of Shook, the latter, in 1858 and in 1859, was known to be an active participator in the "Phoenix Conspiracy," and during the prosecutions in Tralee and Cork, which followed, he was constantly referred to in the evidence given by the informer, O'Sullivan (Goula.) He disappeared at the time of the trials, but returned subsequently. The onward career of O'Mahony and Stephens in connection with the Fenian organization, is outlined in the historical introduction. The latter became widely known, and the authorities were eager for his capture, which was at last effected between five and six o'clock on the morning of the 11th November, 1865, by Colonel Lake, attended by over thirty police and detectives, who surrounded his residence, Fairfield House, Sandy Mount. Scaling the garden walls, they knocked at the back door. Almost immediately Stephens came to the door, and inquired "Who was there?" The constables announced themselves as police officers authorized by warrant to enter and search the house. Stephens hesitated in opening the door, stating that he was undressed. The police promised not to resort to force or violence if he complied with their request. Stephens

endeavored to close the door; Mr. Superintendent Ryan and Acting Inspectors Hughes and Dawson drove it in. Stephens rushed up stairs, followed by Hughes, who took him into custody in his own bedroom, his wife being in the apartment at the time. Mrs. Stephens started out of the bed, alarmed at seeing the police, and said, "Are you going to take my husband from me?" Inspector Hughes then sent down for Constable Dawson to identify the prisoner. Dawson proceeded to the bedroom, and on entering said, "How are you, Stephens?" Stephens replied, "Who the devil are you, sir?" Dawson then told him who he was, and Stephens replied, "Oh, I have read enough about you—I want no favor. Wife, you will never see me again." The house was then searched, and in the adjoining bedrooms were arrested Messrs. Kickham, Duffy and Brophy, who were all in bed at the time. The police, "over thirty in number, were well armed, and entered with pistols in their hands, but the prisoners offered no resistance. Pistols and balls were, however, lying about their rooms, and the police found immense quantities of bacon, flour, bread, &c.—enough, in fact, to feed all the parties for near a twelvemonth." On some of them, too, £45 in gold was found, and a bank check for a larger amount, and others of them were likewise well provided with cash. The prisoners were placed in separate cabs, each in charge of three officers, and were lodged in the Lower Castle yard at half-past six o'clock.

On Tuesday, the 14th, the prisoners were brought before the Magistrate, under the Treason-felony Act.

After some further identification, the hearing was adjourned to the next day, when Mr. Stephens acted in a very bold manner. In reply to the Magistrates, he said:

"I feel bound to say, in justification of, or rather with a view to, my own reputation, that I have employed no attorney or lawyer in this case, and that I mean to employ none, because, in making a plea of any kind, or filing any defence—I am not particularly well up in these legal terms—I should be recognizing British law in Ireland. Now, I deliberately and conscientiously repudiate the existence of that law in Ireland—its right, or even its existence. I repudiate the right of its existence in Ireland. I defy and despise any punishment it can inflict on me. I have spoken."

The prisoners were committed for trial, and removed to Richmond Bridewell.

The defiance of Stephens before the Magistrate, and his repudiation of British law in Ireland, tantalized the leading English press exceedingly. They sneered at his assumption and ridiculed his "I have spoken." They had not ceased leveling their shafts of satire at their prisoner, when the three kingdoms were startled by the news of his escape from prison. A howl of mingled indignation and trepidation went forth, and the conviction forced itself upon the minds of those who sneered at his defiance, that Stephens "knew what he was about." The fear into which the authorities were thrown sharpened their memory, and many threats and rumors were remembered, which did not add to their peace of mind. Among these was a statement, made some months before, that Stephens had, in various disguises, visited all the jails in Ireland, had

tested their strength, and declared that none of them were strong enough to hold him. "The extreme daring and cleverness of the conception and execution of this feat," said a Tory journal,* "also recalls to mind the fact—a strange one, to say the least—that the American Fenians have boasted of the knowledge they had contrived to acquire of Irish prisons, and the power they had to draw the strongest bolts by which they might be held."

The escape of Mr. Stephens was effected on the early morning of November 24. The night was dark and tempestuous, and very favorable for the attempt, as the storm and rain prevented the incidental noises from being heard. The Richmond prison is situated in an isolated position, on the Circular Road. There are no houses in front, and the canal is in the rear. The locality is little frequented, especially at night. The cell occupied by Stephens was in the corridor leading to the eastern wing of the building, and adjoining the Chapel. His cell door was composed of strong hammered iron, and secured by a massive stock lock, a huge padlock to a staple, and a thick swinging bar. The corridor on which the cell opened was guarded by another ponderous iron door of great strength and thickness, and also double-locked. But these were only the commencement of the obstacles that would prevent escape by the doors; and escape from the windows was absolutely impossible. After leaving his cell, the padlock of which had been opened

* "Dublin Evening Mail."

by a skeleton key, he had to pass through about eight locked doors, three of which had two locks, and all of which were left open, except one, which was relocked to prevent pursuit.

At a quarter to four in the morning, Daniel Byrne, the watchman, gave the alarm, stating that he had discovered two tables, placed one above the other, near the southwestern wall, adjoining the Governor's garden. It was found that these tables belonged to the lunatic dining-hall, and had to be brought a long distance. There were no footprints on the upper table, which should have been the case had it been stodd on by any person who had walked through the open passages, which were wet and muddy, as torrents of rain were falling. The wall bore no marks whatever of any person having escaped by climbing over it. When the Governor and his assistants went to the section of the prison in which Stephens had been confined, they found the doors of the corridor open, and also the door of his cell. His bed looked as if he had not recently slept in it, and as if he had only rolled himself up in a railway rug which was found on the floor, and waited for the time that his deliverer was to arrive. A portion of the clothes which he wore on the morning of his arrest he left after him, and he must have put on a suit of black, which he had received a few days before. His books and papers were in the position they were last seen in by the warders. The searchers for the fugitive were not left long in doubt as to the means by which the many doors were opened, as a master-key, quite bright, as if it had been only recently made, was

found in the lock of the corridor door. While the detectives were scouring the city and suburbs, far and near, watching the early steamers and vessels going to sea, and making active use of the telegraph wires, the search and inquiries were continued in the prison and in its neighborhood.

It was quite evident that Stephens was under the guidance of a person who knew the prison well, as the winding and difficult route from one extreme of the prison to the other was accomplished without a single blunder, or without balking at a lock or door. This added to the anxiety of the officials, which was destined to be still further increased and excited on learning that Daniel Byrne, who had formerly been a policeman, had left that force to join the Battalion of St. Patrick in the Pope's army, had returned to Ireland after the affair of Castelfidardo, and that papers were found among his effects associating him with the Fenian Brotherhood. "With such facts before us," said the *London Times*, "it may be asked, What stronghold of the Government is safe from the treachery of men who eat the Queen's bread? Are the arsenals and magazines? Is the Bank of Ireland?"

Byrne was at once arrested, and a proclamation issued, offering a reward of £1,000 for information leading to the arrest of Stephens, and of £300 for the arrest of any person who harbored, received or assisted him, with a free pardon, in addition to the reward, to any persons concerned in the escape who would give information to lead to his arrest.

Outside the prison Stephens was met by Colonel T.

J. Kelly and John Flood, and his subsequent escape to France and visit to America is told in the sketch of the former, who has since had a still more thrilling, though less mysterious, escape from the hands of the authorities in Manchester on the 18th September, 1867.

Of O'Mahony's labors in America a brief outline has been given in connection with the progress of the Fenian movement,* up to his retiring from a leading part in it, on the arrival of Mr. Stephens in America. The position of Mr. O'Mahony, then and since, has been defined by himself,† and it is due to his services to give his own words. Of the past, he says:

For more than eight years I held the position of Chief Officer of the Fenian Brotherhood in America. By excessive labor and ceaseless vigilance, I built it up till it became the most extensive, if not the most effective, revolutionary organization of Irishmen that ever existed. I may also assert that it would not, *with its other surroundings*, have ever reached its late magnitude, either at home or in this country, but for my persevering exertions. During all my administrative career, I am not conscious to myself of having committed one dishonest or one selfish act. From the first to the last, I have had around me, cognizant of my official conduct, many men who have since become my bitterest enemies. Not one of these persons has ever come forward openly to charge me specifically with such an act, though several of them *have betrayed my most secret confidence* in other matters. They cannot do it. During the same time I have had official communication, both by word and letter, with many thousands, hundreds

* See Historical Introduction.

† Letter addressed to D. O'Sullivan, Esq., Editor "Irish People," dated New York, April 19th, 1867.

of whom are also my bitterest enemies now. Not one of these has, up to this, charged me with ever having deceived him by wilful falsehood. It cannot be done.

In reply to the statement that his retirement was compulsory, Mr. O'Mahony says:

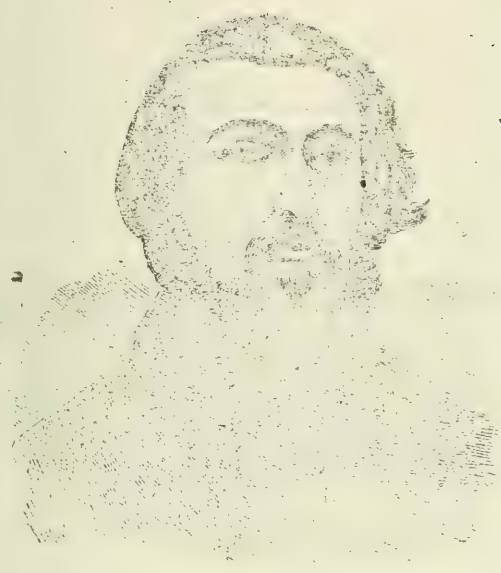
My resignation was not alone altogether voluntary on my part, but I had resolved on that step for some months before it actually took place. My principal reasons were, because, after the 1st of January, '66, I could not understand Mr. Stephens' perseverance in his war programme in Ireland, and because I felt that there was no prospect of an *united* Fenian Brotherhood in this country, which I believed to be an indispensable requisite to success whilst I held my office in it, surrounded and undermined, as I had been for some time, by treacherous and wily opponents and personal enemies of all kinds.

Of his position since retirement, he remarks:

With respect to my present connection with the Fenian Brotherhood, I beg to state that I am still a private member of that body, and in what is technically called "good standing," in the Corcoran Circle in this city. But further than this I have had no connection with either Mr. James Stephens or with his successors in the government of the organization for now nearly twelve months. Since last May I have taken no part, public or private, in directing their acts or counsels. From its commencement I totally dissented from that reckless and haphazard course of action of which Mr. Stephens gave notice in the now notorious promise made by him at the Jones' Wood meeting last Summer. I condemned the whole tenor of his conduct in the management of Fenian affairs from that time up to the hour of his departure for Europe.³ Had I been consulted on the subject in time, and had my opinion prevailed in the Executive Department of the Brotherhood, no attempt at a rising would have been made in Ireland this Spring.

Of the rising in March, and the men connected with it, he says :

Their late action had indeed become indispensable to the present honor and ultimate success of the Fenian cause, as well as to their own characters as honest and devoted patriots. Theirs was a desperate venture, but it had become both a moral and military necessity upon their parts by reason of the severe pressure that was upon the organization and themselves. Should it fail for the present, it has even already advanced and elevated the cause of Ireland immensely before the world, and has opened the road for others to her fast approaching liberation. Our gallant brothers who have lately left us must be considered the hardy pioneers of Ireland's freedom in any case.



THOMAS CLARKE LUBY.

Joins Young Ireland in '48, and Gives up his Worldly Prospects—In a New Movement in '49—Arrested—Patriotism vs. Family Patronage—National Journalism—Travels with Stephens—Appearances in Public—Visits America—The Irish People Seized—Arrested—The Special Commission, the First Since the Trial of Emmet, in Dublin—Speech in the Dock—Reprimands Assassination—Sentence—Interesting Sketch of Philip Gray by Mr. Luby.

ONE of the ablest writers of the Revolutionary Party in Ireland—an efficient, persistent, working nationalist, a gentleman, a scholar, and a thinker, Thomas Clarke Luby, in the face of public trial and at the sacrifice of private interest, has devoted his whole career to the cause of Irish independence. His ability is only second to the devotion with which he has applied it to national purposes. The son of a clergyman of the established church, and nephew of one of the most learned and distinguished fellows of Trinity College, Thomas Clarke Luby had preferment before him if he had chosen to devote his talents to the enemies of Ireland; but he had the strength of heart to put his strength of brain to different use. His career in Trinity College was most promising, having won considerable scholastic distinction at an early age. In '48, however, the brilliancy and truthfulness of the Young Ireland leaders captivated him, and declaring

himself an adherent of their views and purposes, he sacrificed the friendship and patronage of his uncle, who was, and is, an extreme loyalist.

After the capture and banishment of the leading patriots of '48, Mr. Luby, in the following year, united himself with James Finton Lalor, Joseph Brenan, and Philip Gray in a new movement, of which he has given a brief but suggestive account in a sketch of Gray. He was one of the five forming the Committee of Defence of this new organization, and was arrested at Cashel, after an attempt at a rising had been made at Cappoquin, 17th September, 1849, and for participating in which, Joseph Brenan and Hugh W. Collender had to fly to America. Luby was kept in jail for a short time. During the year '49, and after, until its discontinuance, Mr. Luby was a leading writer for, and, after Brenan's flight to America, editor of, the national journal called the *Irishman*.

After the failure of this journal, Luby continued true to his principles through very trying domestic difficulties, notwithstanding the inducements held out to him by his loyal relative, if he would give up patriotism and continue his studies for the Irish Bar. Luby, however, resisted all arguments and temptations.

About this time he went to Melbourne, Australia, and returning by way of France, stopped some time in Paris, where he met those Irish exiles who had taken up their temporary abode in that city. Returning to Ireland he became connected, in 1855, with a new national journal, the *Irish Tribune*, the chief ed-

itorial conduct of which devolved upon him; and very ably did he perform it. Owing, as he states, to the mismanagement of its ostensible editor, the paper failed. He subsequently traveled with Stephens—mostly on foot—organizing various parts of the country. He gave important aid in founding the Fenian movement in Ireland, and was one of its most earnest as well as prominent organizers and advocates. The *Shamrock* makes brief allusion to the appearance of the scholastic revolutionist in public: "On the occasion of the McManus Committee holding its last meetings, Luby was to be seen and heard at their discussions, the speaker for, and the director of, a party who followed his behests with implicit consent. He was prominent at the Rotundo meeting, on the affair of the Trent, and was the writer of the celebrated letter of those who were to compose the council which was to decide upon the question of agitation in Ireland, and not. When the aggregate gathering for the purpose of raising a statue to Henry Grattan in College Green in opposition to that proposed for Prince Albert, which was held in the Round Room, he was present at its dissolution in confusion." Mr. Luby visited the United States in the early part of 1863; and later in that year the *Irish People* was started in Dublin. It was a bold, bright organ of popular rights, discarding the appliances of hackneyed agitators usually indulged in by popular leaders. It at once struck the popular chord. Its chief writers were soon known to be Thomas Clarke Luby, John O'Leary, and Charles Kickham, while J. O'Donovan (Rossa), Denis Dov-

ling Mulcahy, James O'Connor, and other good men and true were connected with it in various positions. It was the literary centre of Fenianism in Ireland.

It was seized on the night of Friday, September 15, 1865, and all the men within reach, who were connected with it, arrested. Two detectives watched the residence of Mr. Luby, at Dolphin's Barn, through the night, and having gained admission in the morning, arrested him and seized such papers as they deemed of importance.

A Special Commission was ordered for the 27th November, but, previous to its opening, a motion was made in the Queen's Bench, on the 23d, on behalf of Luby, O'Leary, and O'Donovan (Rossa), for a writ of *certiorari* to remove any indictment that might be found against them at the Commission, on the ground that a fair and impartial trial could not be had in Dublin. The unanimous judgment of the court refused it, and the prisoners were duly brought to trial. Luby was the first victim.

The Special Commission was opened on Monday morning, November 27th, in the Court House, Green street, Dublin. It was over sixty years since a similar tribunal sat there—the last Special Commission for Dublin having been issued in 1803 for the trial of Robert Emmet. In the interim there have been many Special Commissions held in various parts of the country—in Limerick, in Tipperary, and other counties where so called agrarian disturbances have prevailed; but since the year 1803, the only Special Commission which has issued for the trial of political prisoners

was the one which, in 1848, sat in Clonmel, and at which William Smith O'Brien, Terence Bellew McManus, Thomas Francis Meagher, and Patrick O'Donohue were convicted of high treason. The calendar of rebels who have stood in Green street Court House waiting for their doom, would make a lengthy roll. At that same rusty iron bar, which has been grasped alike by the meanest felon and the guiltiest murderer, have stood some of the best and truest men of Ireland, while the game of law was played out for life or death before them. The building in which so many memorable trials have been witnessed is a very unpretending structure, standing, or rather hidden, in a region of the city little seen by visitors. In the immediate neighborhood narrow streets and wretched lanes abound; and Green street itself is a miserable and disreputable looking locality. The Court House adjoined that formidable fortress prison, Newgate—the Bastille of the Irish Metropolis—the demolition of which hideous relic of barbarous times had been commenced a few months previous.

The admission to the Court House was to have been by tickets, which were issued by the High Sheriff; but on the 24th, after the escape of Stephens, all the tickets issued were declared cancelled by order of "the government;" consequently, on the day of the trial, few were admitted save policemen.

In the dock stands—the observed of all observers—the prisoner, Thomas Clarke Luby, a man apparently half way between thirty and forty years of age, of middle size, sallow complexion, nose slightly aquiline,

scanty dark beard and moustache. His demeanor is somewhat listless, though he is not inattentive to what is going on. At one side of the court and not far removed from him sit some ladies. One of them (sadly and deeply concerned in all that is passing) is his wife—a daughter of the poet Frazer, one of the bards of '48, better known by his *nom de plume* of "J. de Jean;"—near her sits Miss O'Leary, sister to the prisoner, Dr. O'Leary, and by her side sits Mrs. O'Donovan (Rossa), who seems in much better spirits than either of her companions. The Attorney-General, Lawson, a commonplace looking individual, is stating the case, reading a good deal from the multiplicity of documents which he has before him. Batches, bundles of the Fenian archives lie on the table. There are the originals, here are the printed copies in his hand. Here are letters of John O'Mahony, here are the suppressed resolutions of the Chicago Convention, here is that fatal document—the letter of James Stephens, appointing the Irish Executive—here are letters of O'Keeffe. Letters, documents, not by the score, or by the dozen, but absolutely by the *hundred*, are here produced—most of them captured in the *Irish People* office, others taken at the houses of the prisoners.

The suppressed resolutions of the Chicago Convention proclaimed an Irish Republic; and the letter of Stephens was in the form of a commission as follows:

"Executive—I hereby appoint Thomas Clarke Luby, John O'Leary, and Charles J. Kickham a Committee of Organization, or Executive, with the same supreme control over the home organi-

zation of Ireland, England, Scotland, &c., I have exercised myself I further empower them to appoint a committee of military inspection and a committee of appeal and judgment, the functions of which will be made known to each member by the Executive. And trusting to the patriotism and ability of the Executive, I fully endorse their action beforehand, and call upon every man in our ranks to support and be guided by them in all that concerns our Brotherhood.

"Signed

"JAMES STEPHENS."

Dublin, 9th March, 1864.

Upon a letter of C. M. O'Keeffe, found in the *Irish People* office, a charge of assassination was based. It was shown that Mr. Luby was a registered proprietor of that paper; and his connection with the organization as a chief was testified to by one Nagle, an informer, who had been engaged in the establishment as a folder. He was found guilty of treason-felony on all the counts, on the fifth day of the trial, and in reply to the usual question, said:

"Well, my lords and gentlemen, I don't think any person present is surprised at the verdict found against me. I have been prepared for this verdict ever since I was arrested. Although I thought it my duty to fight the British Government inch by inch to dispute every inch, I felt I was sure to be found guilty, since the advisers of the Crown took what the Attorney-General would please the other day to call the "merciful course." Of course I thought I might have a fair chance of escape so long as the capital charge was impending over me, but when they resolved on trying me under the treason-felony act, I felt that I had not the slightest, smallest chance. I am somewhat embarrassed at the present moment as to what I should say. Under the circumstances, there are a great many things that I would wish to say, but feeling that there are other persons in the same situation who

myself, and that I might allow myself to say something injudicious, which would peril their cases, I feel that my tongue is, to a great degree, tied. Notwithstanding, there are two or three points upon which I would say a few words. I have nothing to say of Judge Keogh's charge to the jury. He did not take up any of the topics that had been introduced to prejudice the case against me—for instance, he did not take up the accusation of an intention to assassination attributed to my fellow-prisoners and myself. The Solicitor-General, in his reply to Mr. Butt, referred to these topics. Mr. Barry was the first person who advanced these charges. I thought they were partially given up by the Attorney-General in his opening statement, at least they were put forward in a very modified form; but the Solicitor-General, in his very virulent speech, put forward those charges in a most aggravated manner. He sought even to exaggerate upon Mr. Barry's original statement. Now, with respect to those charges, in justice to my character I must say that in this court there is not a man more incapable of anything like a massacre or assassination than I am. I really believe that the gentlemen who have shown such ability in persecuting me, in the bottom of their hearts believe me incapable of an act of assassination or massacre. I don't see that there is the smallest amount of evidence to show that I ever entertained the notion of a massacre of landlords and priests. I forget whether the advisers of the Crown said I intended massacre of the Protestant clergymen. Some of the writers of our enlightened press said that I did. Now, with respect to the charge of assassinating the landlords, the only thing that gives even the shadow of a color to that charge is the letter signed, alleged to be signed, by Mr. O'Keefe. Now, assuming, but by no means admitting, of course, that the letter was written by Mr. O'Keefe, let me make a statement about it. I know the facts I am about to state are of no practical utility to me now, at least with respect to the judges. I know it is of no practical utility to me, because I cannot give evidence on my own behalf; but it may be of practical utility to others with whom I wish to stand well. I believe my words will carry conviction, and carry much more conviction than any words of the legal advisers of the Crown can, to more than 800,000 of the Irish race in Ire-

land, England, Scotland, and America. Well, I deny absolutely that I ever entertained any idea of assassinating the landlords, and the letter of Mr. O'Keefe, assuming it to be his letter, is the only evidence on the subject. My acquaintance with Mr. O'Keefe was of the slightest nature. I did not even know of his existence when the *Irish People* was started. He came after that paper was established a few months, to the office, and offered some articles; some were rejected, some were inserted, and I call the attention of the legal advisers of the Crown to this fact, that among the papers which they got, those that were Mr. O'Keefe's articles had many paragraphs scored out; in fact, we put in no articles of his without a great deal of what is technically called "cutting down." Now, that letter of his to me was simply a private document. It contained the more private views of the writer; and I pledge this to the court as a man of honor—and I believe in spite of the position in which I stand, among my countrymen I am believed to be a man of honor, and that, if my life depended upon it, I would not speak falsely about the thing. When I read that letter, and the first I gave it to was my wife; I remember we read it with fits of laughter at the ridiculous ideas contained in it. My wife at the moment said, 'had I not better burn that letter.' 'Oh, no,' I said, looking upon it as a most ridiculous thing, and never dreaming for a moment that such a document would ever turn up against me and produce the unpleasant consequences it has produced—I mean the imputation of assassination and massacre, which has given me a great deal more trouble than anything else in the case. That displeases, as far as I can at present dispose of it, of the charge of wishing to assassinate the landlords. As to the charge of desiring to assassinate the priests, I deny it, as being the most monstrous thing in the world. Why, my goodness, every one who read the articles in the paper would see that the plain doctrine laid down there was to reverence the priests so long as they confined themselves to their sacerdotal functions; but that when the priest descended to the arena of politics, he became no more than any other man, and would just be regarded as any other man. If he was a man of ability and honesty, of course he would get the respect that such men get in politics; if he was not a man of ability, there

would be no more thought of him than any one else. If he is not a man of ability he will not be thought of more than a shoemaker or any one else. That was the teaching of the *Irish People* with regard to priests. I believe the *Irish People* has done a great deal of good, even among those who do not believe in the revolutionary doctrines of the *Irish People*. I believe the revolutionary doctrines of the *Irish People* are good. I believe nothing can ever save Ireland except independence, and I believe that all other attempts to ameliorate the condition of Ireland are mere temporary expedients and make shifts"—

Judge Keogh—"I am very reluctant to interrupt you, Mr. Luby."

Mr. Luby—"Very well, my lord. I will leave that. I believe in this way the *Irish People* has done an immensity of good. It taught the people not to give up their right of private judgment in temporal matters to the clergy; that, while they revered the clergy upon the altar, they should not give up their conscience in secular matters to the clergy. I believe that is good. Others may differ from me. No set of men, I believe, ever set to work earnestly but they did good in some shape or form"—

Judge Keogh—"I am most reluctant, Mr. Luby, to interrupt you, but do you think you should pursue this?"—

Mr. Luby—"Very well; I will not. I think that disposes of those things. I don't care to say much about myself. It would be rather beneath me. Perhaps some persons who know me would say I should not have touched upon the assassination charge at all—that, in fact, I have rather shown weakness in attaching so much importance to it. But, with regard to the entire course of my life—and whether it be a mistaken course or not, will be for every man's individual judgment to decide—this I know, that no man ever loved Ireland more than I have done—no man has ever given up his whole being to Ireland to the entire extent that I have done. From the time I came to what has been called here the years of discretion, my entire thoughts and being have been devoted to Ireland. I believe the course I pursued was right. Others may take a different view. I believe the majority of my countrymen this minute, if—instead of being tried before a petty-jury who,

I suppose, are bound to find according to British law—I were to be tried by them—if my guilt or innocence were to be tried by the higher standard of eternal right—and that the case was put to all my countrymen—I believe this moment the majority of my countrymen would pronounce that I am not a criminal, but that I deserved well of my country. When the proceedings of this trial go forth in the press to the world, people will say the cause of Ireland is not to be despaired of—that Ireland is not yet a lost country—that as long as there are men in any country prepared to expose themselves to every difficulty and danger, prepared to brave captivity—even death itself, if need be—that country cannot be lost. With these words I conclude."

Judge Keogh said—"Thomas Clarke Luby, you have been found guilty of the charge laid against you in the indictment, by a jury who I am sure have given, as I think you yourself must admit, the case the most careful and the fairest consideration. I do not understand you to say, nor do I think you impute, that they have arrived at any other than a fair conclusion."

Mr. Luby—"Yes, according to British law. I do admit I am guilty according to British law."

The prisoner was sentenced to twenty years penal servitude. A slight flush suffused his thoughtful face. His eyes shot a quick and brilliant glance round the Court, and, saluting his wife and his associates, he walked with a firm pace from the dock to the cell assigned him and his fellow-prisoners, and shortly after was escorted by cavalry and police to Mountjoy Prison.

The accompanying sketch of Phillip Gray, besides being a worthy tribute to a devoted nationalist, is an interesting link in the revolutionary history connecting '48 and the movements which resulted in the Fenian organization.

PHILIP GRAY.

Mr. Gray was secretary of the Swift Club in Dublin during the Confederate excitement. Mr. Luby writes:*

"When the Young Ireland chiefs had decided on taking the field in the summer of '48, Gray accompanied a gentleman, since distinguished in America and the Antipodes, to the County Meath, where they vainly endeavored to stir up an insurrection. The failure, however, nothing daunted him. Abandoning, without a moment's hesitation, an excellent situation which he held in the Drogheda Railway office, he made his way to Tipperary. Even Smith O'Brien's attempt could not dishearten the invincible spirit of Gray. He lingered in the South, and contrived to get into communication with Mr. John O'Mahony, and, though previously unknown to that gentleman, succeeded in winning his confidence. When O'Mahony's insurrection broke out in autumn, that chief entrusted the command of the Waterford insurgents to Gray, in conjunction with Mr. John Savage.† Gray

* This sketch, omitting for want of space a few personal paragraphs, was in the form of a letter to T. F. Meagher when editing the "Irish News," in which journal (March 14, 1857) it appeared.

† This is not exactly correct. Gray, wary, unknown and alone, in the neighborhood of Carrigrohane, attracted the suspicions of some of the Clubbists, who arrested him, and sent for Mr. Savage to examine him. Although he had not met Gray in Dublin, Mr. Savage was soon satisfied of his truth, and the "prisoner" was released with aid and good cheer. Very soon after, Mr. Savage was requested by a lady—a devoted nationalist—to go to a certain locality on the Waterford side of the Suir, as a "rather suspicious person was

was present at the attack of Portlaw police-barrack, and had a share of the adventures of that period.

"After the unsuccessful termination of the revolutionary attempts of '48, Gray underwent, for three or four months ensuing (the close of autumn and beginning of winter), the most terrible privations and hardships. A fugitive from justice in the County Waterford, he was exposed to cold and wet, and all the inclemencies of the weather. He was ill fed, badly clothed, generally obliged to sleep in the open air—sometimes at the back of lime-kilns—occasionally, but very rarely, getting a shake-down for an hour or two in a peasant's cabin. During all these sufferings he clung to the idea of Irish revolution with invincible tenacity. He took advantage of his situation to form in the valley of the Suir a secret society, sworn to struggle for the cause. It spread from Clonmel to Carrick, all over Waterford and the South Riding of Tipperary. At a subsequent period, its ramifications extended through the North Riding, Limerick and Kilkenny, and the cities of Cork and Dublin. Gray, having extraordinary powers of endurance, being an indefatigable though ungraceful walker, wandered about day after day, penniless, with broken shoes and bleeding feet, spreading his organization through the South, though he was momentarily in danger of arrest.

found prowling about a very hot-bed of nationality, and detained." Guided by the lady, Mr. Savage went, and to his amusement as well as surprise, found the suspicious person to be Gray. He was released, and subsequently became a great favorite in the locality. His very qualities as a conspirator—the very instinct and tact which led him to disaffected districts, also gave his movements a suspicious character. To prevent further mischance, it was arranged that he should, in future, either accompany Mr. O'Mahony or Mr. Savage.

His earnestness, possibly his sufferings also, rendered his appeals to the people's patriotism irresistible. At last he made his escape to France. Before this, however, he visited Dublin, and determining to make the metropolis the headquarters of his organization, he called together three respectable and intelligent young men, formerly members of the Swift Club, and, having given them the test, constituted the Provisional Directory of his secret society.

"Gray made his way to Paris. He received some assistance from his fellow-exiles; but he also endeavored to support himself by his own exertions. Having learned something of drawing earlier in life, and having a natural taste for it, he gave lessons in that art. However, after a stay of some months in Paris, he was recalled to Ireland in the summer of '49 by the late James Finton Lalor, who, placed at the head of a new Directory, now virtually governed the secret organization. In Dublin, this Society numbered about 1,000 men, partially armed. In the country, the numbers were far greater.

"Gray immediately visited the various parts of the country in which the organization had taken root. His presence was welcomed everywhere. I have seen him welcomed in cabins, by men and women, as though he were some potent chief. By the members of the fraternity he was now looked upon as a sort of hero. Some were foolish enough to institute invidious comparisons between his pretensions and those of Mr. Lalor. Thoughts were entertained about this time of attempting to rescue Smith O'Brien and his compani-

ons, who were on the point of removal from the country: A letter of John Martin to Mr. Lalor prevented the attempt from being made. Some of the leaders of the organization, among whom was Gray, subsequently meditated an outbreak on the occasion of the Queen's visit to Ireland. The affair, however, miscarried. Finally, in Autumn, an assembly of about eighteen delegates met in Clonmel. They decided that an insurrection should take place in September, and elected a Committee of Defence, consisting of James Finton Lalor, Joseph Brennan, Philip Gray, the present writer, and another person, who, however, did not act. The committee, with the exception of this person, met at Clonmel in due time, and arranged that, on the 17th of September, simultaneous attacks should be made on Cashel and Dungarvan. Other movements, too, were calculated on.

"Various causes, however, disconcerted the plans of the conspirators. Conspiracies with elaborate programmes of insurrection seldom, if ever, succeed. Formidable insurrections must be spontaneous, unpremeditated. The promised thousands failed to assemble at the points of *rendezvous*. A miserable abortive scuffle, indeed, took place at Cappoquin. Joseph Brennan was obliged to seek the shores of America. The present writer was arrested near Cashel, and suffered a short imprisonment; so did a few other young men. One or two retired for a time to France; and for the Cappoquin business a few peasants were transported. All thoughts of insurrection were now given up. The organization was virtually at an end;

and, in December '49 or January '50, its most prominent member, James Finton Labor, expired.

"During several months, following the Cappoquin business, Gray lived a precarious life in Dublin, without proper means of subsistence, without any comfortable place of rest. His health, already undermined by the hardships he had undergone in Waterford, began to be visibly impaired. He still, however, endeavored to rally the organization, and even carried it into new places in the County Dublin; but it languished nevertheless, and at last was formally dissolved, some time in the year 1850. If it were proper to do so, I could give many amusing details connected with the progress of this singular organization.

"Gray, after some time, procured a clerkship in the office of a salesmaster of Smithfield. Here he remained for years, and won the confidence of his employer by his rare zeal and integrity, and remarkable talents for business. * * * * But every day his health was becoming worse and worse. At length, on the morning of Patrick's day, 1855, he burst a blood-vessel, perhaps in consequence of a recent fall. The loss of blood was immense. After some time he was sufficiently recovered to go to the County Meath, where he spent a portion of the summer with some relations. He rallied so far, that on the establishment of the national journal called the *Tribune*, in the latter end of 1855, he was able to accept a situation in the office of that paper. The death of the *Tribune* in the early part of 1856, threw poor Gray on the world once more. Yet so great was the force of his mind that,

in such health and circumstances, he commenced attending lectures on Chemistry, at the Museum of Industry, in Stephen's Green. With characteristic ardor he gave himself up to this new pursuit, body and soul. He twice, at the examinations, received a certificate for excellent answering. At intervals he returned to the office of his old employer, the salesmaster. To the last he toiled beyond his strength for his livelihood. Part of the summer he spent in Meath. He suffered much, however, from poverty, and want of proper comfort and attention. In short, his apparent improvement was illusory. In January, 1857, his life appeared rapidly approaching its close. On the 18th he received Extreme Unction, and on the night of the 25th of January, he breathed his last.

"On Tuesday, the 27th, his brother, a prisoner of '48, and a few friends and associates, conveyed his remains by the Mullingar railway to the County Meath, to be there deposited in the burial-place of his fathers. His paternal uncle was hanged for rebellion in '98, and his mother belonged to the sept of the O'Carrols.

"At the suggestion of some of the Irish exiles in Paris in 1849, who were desirous of diverting the attention of the police from Gray, in connection with any Irish movement, Devin Reilly published the following announcement in his paper, the *People*, printed in New York in the fore part of '49 :

"Mr. Philip Gray, one of the Secretaries of the Swift Confederate Club, who followed the fortunes of O'Mahony and Savage in Tipperary and Water-

ford, has arrived in this country. He was with Savage on the attack on Portlaw, in September, and afterwards made his escape to France. He merely passed through this city, having, with much good sense, immediately started for the West, hoping to make it his future home. We understand that his actions were characterized by firmness and determination, and his comrades reposed much confidence in him.

“This being copied into the Tory papers in Ireland, had the desired effect; and Gray was the better able to make the exertion outlined above.”

JOHN O'LEARY.

The Inspiration of Tipperary—Home Influences—O'Leary a Man of Means—
At College—Goes to France—To America—Returns to London and Ireland—
Enthusiasm in the Irish Cause—Spreading the Fenian Organization—The
Irish People—The Sagacity with which it was Conducted—Arrested—In
Court—The Trial—Speech in the Dock—Sentence.

SENTENCE having been passed on Thomas Clarke Luby, the next selected for a mock trial and certain conviction was John O'Leary. The British Government, in its relentless persecution, has recognized his ability as an editor, and his fidelity as a patriot, and it has not undervalued him in either capacity. Those who knew him depict him as eminently a man of determination, whose mental constitution—"clear and brilliant, manly, sincere and truthful"—gave some idea of those souls "that rendered the Rome of antiquity or the Sparta of Solon the wonder and glory of the world."

The O'Leary sept are of Milesian descent, and have held territory for ages in the County Cork. It is a prominent name in Irish history, and the family of our hero have been resident in the County Tipperary; and in the town of the same name John O'Leary was born. In that county an active national spirit has al-

ways been maintained. There are associations connected with that portion of Ireland which have served to cherish patriotism, to inspire the young mind, and confirm it in devotion to the sacred cause of independence. Situated on its lovely plains is the City of Cashel, whose ruins recall the ancient greatness of our ancestors—the story of the legal murder of Father Sheehy is current among the people—in '98 it experienced the ruthless tyranny of British officials.

In addition we are told that “his home had its own traditions of patriotism, and he should have been a false shoot of the old stock of his hearth, if his good heart and brain were not open to the example, teaching and stimulus of all he derived from birth and locality.”

The enthusiasm which existed in Ireland in 1848, and preceding years, was shared by young O'Leary. The close of the '48 movement left Ireland in a state of disorganized hostility, and, until the formation of the Fenian Brotherhood, there was no extended organization which could realize the patriot's desire of its being the certain means of Ireland's regeneration.

Left with ample means by his parents, Mr. O'Leary devoted himself to study. A naturally strong mind was refined and exalted by full culture. He looked toward a profession, and chose that of medicine. With the purpose of fitting himself for it he went to Queen's College, Cork; became distinguished, and after giving unmistakable evidence of the national passion which was taking possession of him, he went to France. Whether under imperial or republican rule, residence in France has never failed to confirm the modern pa-

triot in his aspirations after freedom; and all that O'Leary saw in that country only tended to make him more anti-British than before.

It is not surprising, therefore, when Mr. O'Leary left France and extended his travels to the United States, that his whole soul was concentrated on thoughts of Irish liberty. He was warmly received by the veteran Irish patriots in this country, and was considered a valuable member of the “faithful and the few” who were then laying the foundation of an organization which has since extended itself from the Atlantic to the Pacific, and has become the most formidable element, probably, against which England has ever had to contend.

Mr. O'Leary became ardently attached to America and her republican institutions; and the comparison between affairs here and under the British Government, afforded him many a strong argument in favor of freedom when he returned and took up his residence in London. A gentleman who kindly furnishes some interesting data for this sketch, says he can recall “how ably in literary circles he could defend the national cause, and demonstrate Ireland's claim to independence. One of the many errors which even liberal-minded Englishmen entertain respecting Ireland is, that her material progress is of most importance, in the hopes of accomplishing which, she should resign her aspirations after nationality and become absorbed with England. In these principles Mr. O'Leary could never acquiesce. ‘Great, glorious and free,’ was his ideal. He knew that as long as English

supremacy is maintained, Ireland cannot be materially or otherwise happy, and that time cannot sanction injustice. Both nations are too dissimilar in race; the past cannot be forgotten; and experience proves that Ireland will never consent to be a British province."

Another authority says: "He returned to Ireland and threw himself with great skill and great zeal into the work of extending the Fenian organization. Few men of any power of mind, of any patriotism, that he met, were they that were not made sympathizers with the cause to which he devoted himself as to a sacred work. Keenly sagacious and unflinching determined, beloved and respected, he escaped the Argus eyes of the police unbetrayed, and became the very right hand man, it is said, of the attempt, according to Her Majesty's Attorney-General, to subvert the throne and constitution in Ireland."

When the *Irish People* was established, to be the organ of Fenianism, Stephens selected O'Leary as the conductor; and as an evidence of the far-sighted sagacity which controlled, not only O'Leary, but those having authority in the management of that journal, the following from the *Shamrock* will be in place, especially to those who have not had an opportunity of reading the articles alluded to: "The most careful supervision was exercised over its 'leaders' and over its letters; for, whilst the 'leaders' generally dealt with the principles admitted by the constitution of 1688, the letters dealt with Fenianism, with the hostility which it met from priests and bishops, and in this way tried out the question by two modes, arguing the

cause of Fenianism, and spreading its principles in spite of the law. A remarkable testimony to the skill with which this was done, is to be found in the circumstance that the leading journal of high Catholic opinion in England used to quote the leaders of the *Irish People*, very frequently as the text and gospel of Irish politics, and several Irish daily journals, including the *Mail*, also took the same course. It is asserted, with what authority we know not, that many of the 'leaders' were submitted to counsel prior to their appearance, and that no doubtful composition was ever suffered to be printed without being subject to that precaution."

It is believed that, but for the information of the infamous Nagle, who described the *People* office as a sort of chief bivouac of the organization, the Government would not have convicted the writers for their contributions to the paper alone. As it is, however, no one connected with it has escaped penal servitude.

Mr. O'Leary was arrested at his residence, Palmerston Place. He was arraigned on the 1st December, while the jury on Luby's case were consulting. On their return he was remanded, and brought to trial the next day. He was dressed, as usual, in dark clothes; and as he advanced to the bar, every eye in court was turned towards him. The judges whispered their comments, whilst they noticed him curiously as he took his position in the dock of destiny. Every available space was filled with ladies, "friends of the prisoner." His sister, by special request was permitted to sit by him in front of the dock, where she might

converse with him. Being asked in the usual formality of British law, "Are you guilty or not guilty?" he replied, "It is the Government of the country, the Crown prosecutors, the Barrys and Nagles who are guilty, and not I." They inquire, "Are you ready for trial?" He answers, "I must be ready—the Crown is ready!" and, accordingly, the trial proceeds. Mr. Butt vainly seeks to have an impartial jury empanelled; the Attorney-General speaks for the Crown; the informer Nagle, and the spy Schofield (sent there by the British Consul at New York,) gave their evidence. Mr. Butt, in an able and argumentative address, defends O'Leary. One incident alone of the trial will show the intensity of his devotion to the principles for which he was to suffer. During Mr. Butt's address he alluded to the *Irish People* newspaper in a manner which might be construed as speaking discreditably of it. Mr. O'Leary, interrupting him, said he wished to make an observation. Mr. Butt, zealous for the safety of his client, threatened if he did so to sit down. But O'Leary persisted, saying—

"I must interrupt you for a moment. I object to having it stated that discredit should be attached to me for my connection with the *Irish People*, or to let it be supposed for a moment that I consider it discreditably to have been connected with that paper."

As Mr. Butt had no such intention, he continued his address, but Mr. O'Leary was ready to sacrifice the possible effect of that eminent counsel's speech, rather

than have his associate's reputation apparently impugned.

It appears that O'Leary was put upon his trial on Monday, 4th October, before he had his breakfast, and one of his counsel said he was being starved. This was denied by the Crown, and the proceedings were suspended while the prisoner took some refreshment.

On the 6th, the jury found the prisoner guilty on all the counts, and in reply to the usual question, O'Leary—his form dilating, and his manner animated to a tone of scathing and rebuke—said:

"My Lords, I was not wholly unprepared for this. I felt that a Government who had so safely packed the bench, would not be unlikely to obtain a verdict."

Mr. Justice Fitzgerald—"We are willing to hear you, but we cannot allow language of that kind to be used."

Prisoner—"Very well. Mr. Luby declined to touch upon this from a very natural fear that he might do harm to some of the other prisoners; but there can be little fear of that now, for a jury that could be found to convict me of this conspiracy, will convict them all. Mr. Luby admitted that he was technically guilty according to that highly elastic instrument, British law, but I did not think that those men there?" (pointing to the Crown counsel,) "could make that case against me. And this brings me naturally to the subject upon which there has been much misrepresentation in Ireland—I mean the subject of informers. Mr. Justice Keogh said in his charge against Mr. Luby that men would be found ready for money, or some other motive, to place themselves at the disposal of the Government and make known the designs of a conspiracy. No doubt; men will be always found ready for money to place themselves at the disposal of the Government, but I think it is agitators, and not rebels, who have been generally bought in this way—who have certainly made the best bargains. I have to

say one word in reference to the foul charge upon which that miserable man, Barry, has made me responsible"—

Mr. Justice Fitzgerald—"We cannot allow that tone of observation."

The Prisoner—"That man has charged me—I need not defend myself or my friends from the charge—I shall merely denounce the moral assassin. Mr. Justice Keogh the other day spoke of revolutions, and administered a lecture to Mr. Luby. He spoke of cattle being driven away, and of houses being burnt down, that men would be killed, and so on. I should like to know if all that does not apply to war as well as to revolution? One word more and I shall have done. I have been found guilty of treason, or of treason-felony. Treason is a foul crime. The poet Dante consigns traitors to, I believe, the ninth circle of Hell; but what kind of traitors? Traitors against the King, against country, against friends, and against benefactors. England is not my country. I have betrayed no friend, no benefactor. Sidney and Emmet were legal traitors. Jeffreys was a loyal man, so was Norbury. I leave the latter there."

In the course of his homily to the prisoner, Judge Fitzgerald took occasion to remind him that a person of his education and ability ought to have known that the game upon which he entered was a desperate and worthless one.

The Prisoner—"Not worthless."

Mr. Justice Fitzgerald—"You ought to have known this, that insurrection or revolution in this country meant not war only, but a war of extermination."

The Prisoner—"It meant no such thing."

He was then sentenced to twenty years penal servitude. He heard it with fortitude, nobly sustained by the sister who sat contemplating him with pride.

O'Leary was President of the National Brotherhood

of St. Patrick, established in the town of Tipperary. He was not at the time a permanent resident in the town, and the position was mainly honorary, conferred in recognition of his devotion to the National cause.

JEREMIAH O'DONOVAN (ROSSA).

Birth and Early Struggles—Goes to Skibbereen—National Views of Rossa and M. Moynahan—Starts the Phoenix Society—Its Character and Progress—Scares the Peace-Mongers—Revival Throughout Cork and Kerry—Members of the Society Arrested—Mr. O'Sullivan (Agreem) Convicted—Cork Prisoners offered Liberty, but Refuse Unless Agreem is Liberated also—Rossa Prevents Illumination for the Prince of Wales—Parades for the Poles—Comes to New York—Returns—A Manager of the *Irish People*—Arrested—Trial—Defends Himself—Defiance to the Court—Special Vengeance on Him—Harsh Sentence—Cruel Treatment in Prison.

A most passionately persistent organizer and worker out of jail, and an unbending and defiant patriot in his chains, is the man whose name heads this sketch. His career is calculated to encourage his countrymen, and to show what may be achieved by an earnest man.

Born of humble parentage, in the ancient and historic town of Roscarbery, in the southern part of Cork, in the year 1830, young O'Donovan had such opportunities for education as the village school afforded, and this, limited as it was, was cut short when about sixteen years old, by the death of his father, who was a weaver. The boy went to Skibbereen and became a member of the family of his uncle, where he remained, contributing to the support of his mother and his younger brothers and sisters

until he went into business for himself. In 1849 an elder brother came to America, and in some three years was joined by all the family, save Jeremiah, who, proceeding on the route as far as Cork, turned back, feeling that he could not and would not desert the old land. His heart yearned to her and the hopes of her freedom, and he determined to watch and wait. This determination led to remarkable and widely historical results.

O'Donovan married and settled to business. The efforts of July and September, 1848, had proved abortive, the little affair of Cappoquin, of the following year, was scarcely heard of, except by important nationalists; the plans of Finton Lalor, Brennan and their comrades, as sketched by Luby, had come to nought; the Keoghs and the Sadliers were rising on the ruins of the nationalists, when a few young men in Skibbereen determined to stir up the embers of the national cause and keep it alive, even if in a smouldering condition. Mr. Mortimer Moynahan, who had taught school for five years in Glengariffe, took up his residence in Skibbereen in 1856; and soon after his arrival O'Donovan and he, having exchanged views on the matter, and being joined by some congenial spirits, decided on organizing a Society. The Emmet Monument Association was in being in America, and they thought they could perhaps put themselves in communication with it, and be the means of interchanging views and helping the Irish cause on both sides of the Atlantic. The Society thus formed in 1857, was ostensibly a literary society, similar, in most respects,

to those for mutual instruction and debate which are so common. The name, "Phoenix National and Literary Society," was suggested by O'Donovan, as he said they intended, to rise from the ashes of apathetic political huckstering, which then covered the land. There was no oath, but the members took a pledge indicative of the object—the resuscitation, ever so slowly, of national life in Ireland. The meetings were duly held, and the Phoenix Society spread itself rapidly into the adjacent towns. It had considerable antagonists to encounter, as it met no favor from the clergy, whom it did not court; nor from the political agitators, whom it condemned; nor from the traders, who regarded it as a band of disturbers; nor from the farmers, "who thought of little save high prices." Its local reputation was that of persons holding extreme radical views on Irish questions; and this was brought into still wider notice by a meeting held in 1858—at the time of the Indian meeting—at which resolutions and an inflammatory address were passed. "On the publication of these documents," writes Mr. Moynahan, "the little shonkeen shop keepers banned us as a lot of firebrands, and threatened with dismissal such of their employes as would any longer continue to be members of the Society. For these reasons the Society dwindled down to a few members, when Stephens made his appearance. He had some time before that come from France, had been teaching French in Killarney and elsewhere, and had commenced organizing a secret Society." Stephens arrived on a Thursday. O'Donovan was initiated on the next day, and Moy-

nahan on the day following. Thence the flame spread, and before six weeks the new organization numbered between two and three hundred, all Phoenix men.

In a short time it was pushed into Bantry, Kenmare, Killarney, Castletown, Borehaven, Dunmannaway, Clonakilty, and Macroom by the Skibbereen men, and into Kinsale and Cork by equally energetic brothers. Moynahan, who was connected with a solicitor, and used to accompany him to the Sessions and Assizes, took these occasions for propagating the order, which he did as far off as Kilorglin in Kerry; while O'Donovan worked with great energy about Skibbereen and Roscarbery.

They progressed so rapidly in numbers and spirit that an Irish-American was sent to give them military instruction. Their drilling became known, and the authorities, becoming apprehensive of trouble, sent an additional force of 105 men to Skibbereen, 60 to Bantry, and a considerable number to Kenmare. The attention thus given to the Phoenix Society, as it was still called, attracted the inquiry of some journalists; and a discussion ensued which, drew letters from O'Donovan and others, which, of course, tended to keep up the excitement.

Meanwhile a clergyman of Kenmare, who had got possession of some facts relating to the society, conveyed the same to the Government; as a consequence, the Government made a descent on the Society, and on the morning of the 8th December, 1858, twelve persons were arrested in Skibbereen, four in Bantry, twelve in Kenmare, and three in Killarney. After

being confined for some weeks, several of the Cork prisoners were discharged, but true bills were found against Mortimer Moynahan, William O'Shea, Denis Sullivan, Mortimer Downing, Daniel McCartie, Jeremiah O'Donovan (Rossa), and Patrick Downing, for treason-felony. An immediate trial was sought for them, by counsel, but, on motion of the Attorney-General, it was postponed to the next Assizes. An application to be admitted to bail was referred to the Queen's Bench, and failed. At the Tralee Assizes Mr. Daniel O'Sullivan (Agreem) was convicted by a packed jury, and thus became the first victim of the new national organization. Again the Cork prisoners unsuccessfully applied to the Queen's Bench for release on bail; and about the same time a proposition was made by the Crown counsel to the counsel for the prisoners, that if the latter would withdraw their first plea, and plead guilty, they would be liberated. This Rossa and his comrades declined. The Government then approached them with another proposition—that if Rossa and Moynahan consented to leave the country, the others would be liberated. On consultation the prisoners agreed to enter into no compromise with the Government. A few mornings subsequently, some further liberations took place, and Rossa, Moynahan, and O'Shea, were all the "Phoenix men" who remained in Cork jail. After keeping them in prison for eight months, the Government found it could not convict them; and finally Rossa and his associates agreed to plead guilty and be liberated, with the understanding that O'Sullivan, who had been convicted, should also be set free.

Rossa—as he was now called—had a positive influence over the men of his neighborhood. His course on the marriage of the Prince of Wales illustrates it. Some of the "gentry" of Skibbereen had determined to honor the great event in the life of the heir-apparent, and several of a club, of which Rossa was a member, illuminated the club-room. On hearing it, he went to the house and called a meeting of the club to protest against the celebration; but as none others attended it, he decided that the illumination was contrary to the wish of the members, and immediately tore down the flags and banners. By this time, others of the members interfered. He, however, nothing daunted, carried out his object, and prevented the celebration. The people, hearing of the occurrence, rallied to his aid, and a grand meeting was called, which he addressed to their satisfaction.

At the time of the Polish insurrection, too, he headed a meeting and procession in honor of that noble race; and, having obtained some banners, they paraded the streets of the town. Some of the banners being national in their design, the police interfered, and all save one were obliged to be dispensed with. This one was a puzzle to the police; it being three-cornered, and having no device, they were allowed to use it, and thus carried out their intentions despite opposition.

Scarcely a week passed that there was not some attempt made to injure Rossa in his business; but he would not be crushed—petty persecution could only intensify his hate of the power that suggested it. The

struggle, however, was an unequal one. In 1862 he came to New York, but in a few months was recalled to Ireland by the death of his wife.

Of course, his relations with Stephens, Luby, and the other chief men, were resumed, and on the starting of the *Irish People* he became one of the registered proprietors. He was one of the first captured, and was brought to trial at the Dublin Commission on the 9th December, 1865. On the next morning, Rossa interrupted the Court to say that, as he believed the Crown was determined to convict him, his trial was a legal farce, and that he would not be a party to it by being represented by counsel. He could not be prevailed on to accept legal advice, but conducted his own defence, which led to some extraordinary scenes in Court, and some bitter passages between the prisoner and Judge Keogh. The more the latter hemmed himself within the walls of privilege, the more O'Donovan was defiant, or satirical, as the occasion suggested. He persisted in badgering the Court and ministers, and in thoroughly exploding the legal farce. As he said in reply to Judge Fitzgerald, "Twenty years" (the term of servitude given to his associates) "is a long time, and I want to spend a couple of days as best I can."

At the opening of the Court on the 12th—the third day—when again put forward and called upon for his defence, Rossa asked if he could have the privilege of addressing the jury on the evidence produced against him by the Crown. Judge Keogh read the act of Parliament for him, by which he was entitled to open

his own case; and, if he called any witnesses for his defence, to sum up after, or speak to evidence.

The prisoner then spoke at considerable length, though not in a direct or consecutive manner, animadverting on the harshness of the Government towards him. Referring to the jury, he said: The Attorney-General has ordered thirty gentlemen to stand by, and no doubt he considered the present jury persons who would bring in the verdict he wished. That observation might not be complimentary to the jury, but he could not help it. The Executive Government had taken harsh measures against the prisoners—had violated all law, and had had recourse to dark courses of despotism. If trial by jury prevented a man from saying that freedom might be fought for, it was a mere bulwark of tyranny. The preliminaries had been, he contended, so arranged as to deny him a fair trial. The papers had published articles condemning all the prisoners before they were tried. He admitted he had proceeded to America under the name of O'Donnell, but it was on mercantile business; that name he had assumed in order to prevent his political friends there from showering welcoming receptions upon him. He returned not as O'Donnell, but in his proper name as O'Donovan. The only crime he had committed was that he had known James Stephens, John O'Mahony, J. O'Leary, and Luby. He was proud to know them. He wished the reporters to take down that in the register of the United States Government of the 27th of August, 1863, his oath of American citizenship would be found recorded. After a violent attack on Judge Keogh, the prisoner said, whatever might be the result of this trial, he entertained no animosity against any person, from Nagle, the informer, to Mr. Barry, or the judges on the bench. He thought it would do good in England to show the sort of trial we had in this country. If there was any gentleman belonging to the Continental press in Court, he hoped he would take down the words of the *London Times* of the 14th of November: "Treason is a serious thing, and these men are undoubtedly guilty of it." The reading of papers and documents by the prisoner at this stage, occupied

above two hours. Judge Keogh then refused to allow him to proceed with the reading of an affidavit which had been sworn in the course of the action against the Lord-Lieutenant, on the ground that the public time could not be frittered away, whereupon O'Donovan exclaimed, "The time of the public has been given to try me." The foreman of the jury also asked that the prisoner should mark the documents for their consideration, and not read them; but he answered that he had laid down a course for himself, in consequence of the way in which he had been treated since he had been sent to prison, which he could not depart from. He then read nearly a hundred pages of small print, referring to the Constitution, organization, and proceedings of the Chicago Convention; as to which, Judge Keogh said, when the prisoner had concluded: "It is scarcely necessary to remark to the public press the grave responsibility that would attach to the publication of the document which the prisoner has read, under the pretext that it would form a necessary portion of his defence." The prisoner said his object in reading the document was to show that there was nothing in the Chicago Convention documents referring to him. He afterwards read several articles from the *Irish People*, and at six o'clock in the evening was still continuing his readings, without any appearance of weariness. At this hour the judges directed that their own dinners, and those of the jurymen, should be brought down to Court; and it was understood that the sitting would be a late one, in order that, if possible, the prisoner should finish his first speech that night. The prisoner asked if the Court would not adjourn as usual, as he had now been reading for several hours, and was wearied out. The only answer he received, was, to proceed with his defence. He then offered to read some passages from the *Irish People*, but Judge Keogh would not permit him to read anything that was not specified in the indictment. He had announced his intention to examine a witness to show that his visit to America was in reference to commercial matters; but after some further reading of the documents before him, he announced that he could proceed no further without the papers kept back by the Crown. He then sat down, having occupied nearly eight hours in reading.

On the next day, Judge Keogh charged the Jury, which, after being out for an hour and ten minutes, returned a verdict of "Guilty on all the counts."

Before sentence was pronounced, the Attorney-General thought it his duty to mention, with a view to having it entered on the record, that the prisoner was indicted for a similar offence in July, 1859—an indictment for treason-felony. "On that occasion, he first pleaded not guilty, but subsequently pleaded guilty. The clemency of the Crown was extended to him then, he entering into recognizances to appear when called on. He would call upon the Clerk of the Crown to enter the former conviction upon the record."

Judge Keogh—"Has the prisoner anything to say with reference to pleading guilty to this previous charge?"

The Prisoner—"I have to say this, that I believe on that occasion Mr. Whiteside, who was a member of the Derby Government, intimated that we would be let off if we pleaded guilty; but we would not do anything of the kind. The Government then offered to let Daniel O'Sullivan (Agreem) off if we pleaded guilty. We refused to do so at first, but afterwards consented. You may add anything you please to the sentence you are about to pass upon me."

The judges here retired from the bench to consider their sentence, and, during their absence, Miss O'Leary stretched her hand down from the reporters' gallery to take a last farewell of the prisoner. He caught her hand and shook it warmly.

On the return of the judges, the prisoner was asked if he had anything to say why judgment should not be passed upon him.

He replied—"With the fact that the Government seized papers connected with my defence, and perhaps examined them; with the fact that the Government packed the jury; and with the fact that the jury said yesterday that they considered me"—

The Court—"We cannot allow this language."

The Prisoner—"With the fact that the Government sent Judge Keogh, of the Norbury breed, to try me—with these facts before me, I could not say anything."

"You have been connected with this transaction since 1863," said Keogh.

"I am an Irishman since I was born," replied Rossa.

"I will not waste words by attempting to bring the heinousness of the crime of which you were found guilty, to your mind," continued Keogh.

"It would be useless to try," tauntingly said the prisoner.

The wrathful and goaded Judge sentenced his victim to Penal Servitude for *Life*.

"All right," he exclaimed, defiantly; and, turning to leave the dock, saluted a number of ladies.

The same defiant and resolute spirit has accompanied the sturdy patriot into prison. The authorities have labored, by putting him at the most loathsome duties, and by treatment of the harshest kind; by bodily chastisement, and the starvation system known as the "lightening process," to break him down; but he is indomitable, and will only succumb to death.

Of the Phoenix prisoners who have adhered to the old cause, or won distinction since, a few paragraphs will not be out of place. William O'Shea, a native of Bantry, came to the United States after his release, and put himself in communication with the leading nationalists. He became one of a Committee of Safety which was in being in the earlier days of the Organization. On the breaking out of the civil war O'Shea entered the 42d regiment, N. Y. V., as a private. He saved himself at the Ball's Bluff disaster by swimming across the river, and was promoted for his gallantry on that day. He served the usual time, and, re-entering the army, shared in many of the

great battles of the army of the Potomac. A capital instance of Captain O'Shea's native humor in the midst of danger, is told by his brother officers. While his company was repairing one of the broken bridges over the Chickahominy, one of McClellan's aids rode furiously up and asked:

"Who commands here?"

"I—I—I do," said the Captain, who stuttered much.

"I want to know, sir, can artillery pass over?"

"Ye—ye—yes—if they are fly—fly—flying—ar—til—til—lery," said O'Shea, casting a look of droll perplexity at the bridge. O'Shea met a soldier's death at the Wilderness.

When Mortimer Moynahan was released he found that all the aristocrats of West Carbery regarded him as a disturber, he therefore turned his face towards Cork, where he became associated in the same law office with Brian Dillon, one of the first Centres of that city. He returned to Skibbereen in 1860, married in the following year, and was soon Centre of that town. Being in Dublin in 1865, he was arrested on the night of the seizure of the *Irish People*. The informations sworn against him by the detectives were false, he being confounded with his brother, who was an employee of that journal. Mr. M. Moynahan made an affidavit in the court of Queen's Bench to the facts and was admitted to bail. He was next appointed by the chief organizer "Intermedium" for the county and city of Cork. After the suspension of the *habeas corpus* act he was sent, with three others,

to London on the business of the Organization, whence he was sent to Paris, where he was permanently detailed by Stephens, and remained for three months; after which he came to America.

Patrick J. Downing, a native of Skibbereen, was one of those against whom true bills were found for connection with the "Phoenix Conspiracy." He was held to bail; and, after the discharge of Rossa, he went to Paris to Stephens, around whom then all the young revolutionists gathered. Soon after Downing came to America as the agent of Stephens, and became engaged in the "Phoenix" journal. He went to the war with a commission in the 42d regiment, N. Y. V. Was wounded badly several times, and received merited promotion. Colonel Downing was subsequently Adjutant-General, and afterwards Acting Secretary for Civil Affairs of the F. B.

Denis J. Downing, brother of the last named, is also a native of Skibbereen, and was the youngest of the Phoenix prisoners. Shortly after his release he came to the United States. On the breaking out of the war he went to the front as second lieutenant of the 42d regiment N. Y. V. He retired from that regiment after the battle of Big Bethel, and entered the 97th as sergeant-major. He took part in most of the battles of the army of the Potomac and steadily rose. At Gettysburg he was lieutenant commanding his company, and fell desperately wounded. To save his life the amputation of a leg was necessary. For gallantry here he was commissioned, and when able to be about he was transferred to the Veteran Reserve

Corps, and after a searching examination appointed Captain, and successively breveted Major and Lieutenant-Colonel of Volunteers for his conduct in the field. When the V. R. C. was dissolved, Lieutenant-Colonel Downing received a commission in the regular army as First Lieutenant, 44th regiment infantry.

CHARLES JOSEPH KICKHAM.

His Family—Sad Accident when a Boy—A Student—His Love of Rural Sports
—In the Cabins of the Poor—Forms a Club in '48—Literature—Espouses
Keogh's and Sadler's Tenant-Right Party—Treachery of the Leaders—Litera-
ture Again—Becomes a Fenian—Arrest—Trial—Defends Himself—Speech in
the Dock—Sentence—Cruel Treatment in Prison.

IN his gentleness and force, in his talents and devo-
tion as a practical Catholic, in his patriotism and pu-
rity, Charles J. Kickham bears a strong resemblance
to Richard D'Alton Williams, the poet, well and
widely known by his *nom de plume* of *Shamrock*, and
equally distinguished by being one of the young Ire-
land patriot-martyrs of '48. They were likewise Tip-
perary men, and do honor to that noble county.

The more recent transactions in which Kickham
was concerned have become a part of the history of
our day. For the facts embracing the earlier portion
of his career, we are indebted to one of his associates,
Captain D. P. Conyngham.* Charles J. Kickham
was born about thirty-eight years ago, in the small vil-
lage of Mullinahone, which lies almost beneath the
shelter of Slievenamon, whose picturesque beauty he
has interwoven into some of his best poems. He
sprang from a respectable and patriotic stock. His

*Author of "The Irish Brigade and its Campaigns," "Sherman's March," etc.

father, John Kickham, was a wealthy draper, and the leading man of the village, a patriot and a philanthropist. He gave unto hundreds who were evicted from their little farms, not only clothes from his store, but also money to enable them to emigrate to America; and to their credit be it said, they gratefully returned it as soon as earned. Many a farmer, who to-day enjoys peace and plenty in happy homesteads in America, blesses his memory.

His mother was an O'Mahony, and in every sense a lady, refined and charitable. Two of his uncles and several of his relatives were eminent divines. Sprung from such a family, and reared amid such associations, Charles Kickham grew up with unsullied principles and a mind as pure as the gentlest maiden. His father, a man of education, sound judgment and keen penetration, saw that his son possessed the germs of a fine mind, and resolved to spare no labor or expense to polish the diamond. He engaged a competent tutor for that purpose. The boy progressed rapidly, but an unfortunate occurrence blighted his hopes when about thirteen years of age: the explosion of a powder flask brought the boy to the verge of the grave. He slowly recovered, however, but remained deaf and near-sighted ever after. He could not now avail himself of the instructions of a teacher, so he retired within himself, and became a great reader and thinker. When only a boy of eighteen he contributed some beautiful pieces to the press.

"He was passionately fond of fishing and fowling. Sometimes you would meet him along the banks of

King's River, a stream near his neighboring town, or wandering along the beautiful Anner, that flows beside Slievenamon. At other times you might meet him with a double-barreled gun in his hand, or flung on his shoulder, with Fan, the terrier, and a pointer for his companions, wandering over the moors or along the mountains, in search of game. He and his haunts were so well known, that the little children crowded the cabin doors on the day he was expected, looking out for *Master Charles*; for he had a kind word for all, and divided his spoils with them, and had *shamachus* with the old women in the corner, and smoked the *dudheen* with the old man, and talked of '98, of the Croppies and the Yeos, of the pitch-caps and the triangles, of the wholesale exterminations and starvation of the peasantry of the present time, until his honest blood coursed his veins in fiery streams, and the tear moistened his eye, and the hope of revenge gave a fierce expression to his kind and noble face. He delighted very much in manly exercises, and keenly enjoyed the hurling and the dance upon the green, and made these rural customs the subject of some of his descriptive tales."

Though his society was courted by the wealthiest, it was in the poor man's sheiling, or enjoying the merry dance and hurling-matches of the peasantry, he was most at home. The honest peasant who mourned the wrongs of his country and yearned for its freedom—who toiled hard for his daily bread—was, in his opinion, far nobler than the sleek slave who, because he had enough himself, closed his eyes to the sufferings around him, and felt happy.

Although scarcely twenty years of age in '48, he was an active nationalist, and in conjunction with some congenial spirits organized a club in Mullinahone. Having fallen under suspicion, he suffered some inconvenience for a short time. He then returned to his old sports, and to literature, writing fugitive pieces for the periodicals. Soon after Keogh and Sadlier organized an independent opposition party—a Tenant-right party—pledged to oppose every government that would not do justice to Ireland; Keogh, in making his pledge, raised his hands and eyes to Heaven, exclaiming—"I pledge myself, so help me God!" What became of all these promises and violated oaths we know too well.

When the treachery and rottenness of the Keogh and Sadlier party became apparent, the Tipperary *Leader* became the great organ of the people in smashing up their perjured clique; and Kickham, Father Kenyon and Father John Power were among its ablest contributors.

Keogh became a justice of the Common Pleas, and in time Kickham was arraigned as a felon and a traitor before the perjured judge, who, if there was any treason in the act which brought him there, was the man who taught him that very treason.

Disgusted with the treachery of his leaders, Kickham again retired within himself—to write tales and put the feelings of the people into vigorous verse. When Doctor Cane of Kilkenny started the *Celt*, Kickham at once became a contributor, writing sketches, tales, essays, and poems. Of the latter, his

"Rory of the Hill" appeared in this periodical. Although Kickham had vowed to eschew politics in future, he became a convert to Stephens' views; and when John O'Mahony visited Ireland he initiated one man, and that was our poet, who at once threw himself with the devotion of his nature into the organization, and was mainly instrumental in sowing the seeds of Fenianism over Tipperary. He paid a visit to the United States in 1863, and was present at the First National Congress of the Brotherhood at Chicago. On his return home he became a leading writer for the *Irish People*; and on Stephens' visit to America during the war, he was designated (without his knowledge) one of the three executive council to manage affairs in his absence. Kickham was captured at the time of Stephens' arrest, and brought to trial in Dublin at the re-sitting of the Special Commission, 5th January, 1867. At its commencement, his defence was conducted by counsel; but on the refusal, by the judges, of his application to have Thomas Clarke Luby produced as a witness, he declared the trial was a mockery, and refused to have any further legal assistance. He addressed the jury in his own defence, and made a lengthy and clever speech, one which bore the impress, not only of talent, but of truthfulness in every part, and which certainly tended to place his conduct in a more innocent light than that in which it was represented by the Crown lawyers.

He said that a person unaccustomed as he was to public speaking, could hardly get out his ideas at all without preparation, and he had had no time. However, he had no objection to go on.

No prisoner had ever been treated more unfairly than he was. Not only had he to bear his share of calumny, but from the commencement of the Commission, in every speech made by counsel for the Crown, his name was dragged in, and not alone that, but even the judges on the bench did it. He could not but feel a little surprised when one of the judges read out the names from the "Executive document"—Luby, O'Leary, and Kickham—and said he shuddered at the crimes these men would commit if they had the power. He could not help thinking that his lordship should have recollected that there was one of these men who was not yet tried, and who might be innocent of even knowing the existence of this document. So that he (prisoner) considered he had been tried and found guilty five times in that Court House, and he did not know how many times in Cork. He would now go through the articles in the indictment, but would not read them all. The first article was one headed "'82 and '29." If they took the trouble of reading through that article, they would be at a loss to see why it was that so long an article, with so little treason in it, should have the place of honor. They might not agree with the writer, but it was, nevertheless, true what he said, that it would have been well for Ireland that the claims of the loyal Volunteers of '82 had been refused, for the result would have been complete independence. And let them look back upon the history of this country—not a gleam of sunshine—the sufferings of the people, and the exodus. What Irishman could look upon the eighty-four years which had passed and would not say, "Give us our country for ourselves, and, in God's name, let us see what we can do with it." These armed volunteers trampled on the Treason-Felony Act. So much for '82. There was not much treason in that. Perhaps it was in the '29 part of the article the treason was. The purport of that portion was, that if the English Government refused emancipation, the Roman Catholics would have taken up arms, and that the liberal Protestants would have joined them. The Duke of Wellington said the same thing, and he must say that a bishop in America was so oblivious of his allegiance as to organize forty thousand armed Fenians, to send them to Ireland, if the Government refused emancipation. There was one good thing

that the Fenians did. He said that concessions to Ireland had been always the result of Fenianism in some shape or other; the English Government, however, while making concessions, always expected to get something in return; and, he believed, they had never been disappointed. Not only had they stipulated upon getting prompt payment, but, also, they got a large instalment in advance. And here he could not help referring to the publication of Sir John Gray's affidavit, which he stated he withheld, afraid it would injure the prisoners on their trial, and yet that very affidavit was published on the eve of his trial. To return to the article "'82 and '29," he repeated, they would find very little treason in it. Why, then, had it been placed on the front of the indictment? That was done for a passage in it referring to Roman Catholic judges, and Roman Catholic placemen, in which it was said, "The Catholic judge will prove as iniquitous a tool of tyranny, as the most bigotted Orange partisan would be." It would not do for the Attorney-General to select articles in which one of the judges was mentioned by name in the severest language. That would be going too far. Judge Keogh said he had never seen a copy of the *Irish People*, and he believed that if his lordship had seen these articles, he would have tried to avoid sitting in judgment on the men who were accused of being the writers of them.

But the Attorney-General knew of them, and he believed that the articles he alluded to had been placed in the front for the purpose of prejudicing Roman Catholic judges against the prisoners they would have to try; and the Special Commission was appointed—if that was the word—for the sole purpose of enabling them to select the judges, and that it was the best mode of following up the attempt to put down the organization, by trampling on the law, and then following that up by trampling on the law of morality and decency. If it were necessary to interrupt him, Mr. Lawless would communicate their lordships' wishes to him.

Justice Keogh—"Not at all. Proceed."

The Prisoner went on to say that the jury might be told that all this was beside the question. But he denied this. He said the Government was on its trial, and not alone the Irish Government, but English rule in Ireland was on its trial. The Government

admitted the existence of a wide-spread conspiracy, both in Ireland and America; but this only showed that the treatment of England towards Ireland had been judged and condemned. After a number of observations of an exculpatory character, he quoted Thomas Davis:

"The tribune's tongue and poet's pen
May sow the seed in slavish men,
But 'tis the soldier's sword alone
Can reap the harvest when 'tis sown.

"The man who wrote those lines, did his best to make the Irish people a military people. A few years before his death his friends observed in his library a number of military books, such as those found in the office of the *Irish People*, and he would say, 'These are what Irishmen want—this is what they should learn.' His statue, by Hogan, is now in Mount Jerome. The whole nation mourned his death, and all creeds and classes gathered round his grave. Thomas Davis saw the peasants' cabins pulled down by the landlords, and witnessed the suffering of the people, and he wrote—

"'God of justice!' I said, 'send your spirit down
On those lords so cruel and proud,
And soften their hearts, and relax their frown,
Or else,' I cried aloud—
'Vouchsafe your strength to the peasant's hand,
To drive them at length from off the land.'"

The prisoner concluded by saying, "What did the *Irish People* say worse than that? I have done no more than he has done; doom me to a felon's doom if you choose."

The charge of Judge Keogh was considered not unfavorable to the prisoner. The jury, however, brought in a verdict of "Guilty on all the counts."

Some one near Kickham intimates this to him by some look or sign, and he knows that his time is come

to speak again, if he chooses to do so. Stepping to the front of the dock, at first stooping slightly over the iron bar, and then raising himself to his full height, he says—

“Perhaps, my lord, I have said enough already. I will only add that I believe I have done nothing but my duty. I have endeavored to serve Ireland, and now I am prepared to suffer for Ireland.”

The sentence was that he be kept in penal servitude for a term of fourteen years. Great commiseration (said the *Nation*) for Mr. Kickham, was felt during the progress of the trial, which was, throughout, a painful scene. His deafness and his defective sight caused him to be almost unconscious of a great portion of the proceedings; but the most material points were communicated to him through the india-rubber speaking tube which he wore about his neck. During his trial one could not help being forcibly reminded of one of the verses occurring in his clever and popular ballad, named “Patrick Sheehan”—

“O, Blessed Virgin Mary,
Mine is a mournful tale,
A poor blind prisoner here I am
In Dublin’s dreary jail;
Struck blind within the trenches
Where I never feared the foe;
And now I’ll never see again
My own sweet Aherlow.”

We read lately of a good old priest, who was found weeping over one of Kickham’s graphic pictures of

peasant sufferings, and, when asked what was the matter, replied, “Read that, and when you reflect that the man who wrote it is pining in a dungeon to-day, instead of being idolized by all classes, is it not enough to make any man weep?”

Mr. Kickham has suffered what has been termed a process of “slow and savage torture” since his incarceration. His pure, gentle, and loving nature, has been subjected not only to indignity, but to such treatment as should make any civilized nation bow its head in shame. After spending a few weeks in Mountjoy Prison, where he was treated with comparative generosity, he was removed to Pentonville, and handed over to the tender mercies of English officials. Here, the invalid prisoner was subjected to the solitary discipline and starvation allowance; until he “was riddled over with scrofulous ulcers, and reduced to a skeleton. He is then sent to Portland for change of air, where, by way of healthful recreation, he is ordered into the wash-house to cleanse the foul garments of England’s vilest criminals. But his brave soul can no longer support his famished body. He sickens almost to death, is tried in the quarries, and then sent off to the invalid station at Woking.” When last heard from, he was being killed by inches.

DENIS DOWLING MULCAHY.

Son of a Patriotic Farmer—Fenian Propagandist—Studies Medicine—His Fine Appearance—Arrested—Trial—Speech in the Dock—Colloquy with the Judge—Guilty—Sentence—Sufferings in Prison—Writ of Error.

THIS gentleman, whose indefatigable services to the Fenian cause were sworn to on the trials of his friends, Luby, Kickham, and others, as well as on his own, is yet under thirty-five years of age. The son of a respectable farmer in the parish of Powerstown, near Clonmel, County of Tipperary, who was a sturdy nationalist in the days of O'Connell, and subsequently an adherent of the Young Ireland doctrines, young Denis inherited his father's spirit and zeal. His boyish enthusiasm was fired in '48. The feelings of this era grew with his growth; he was one of the first to join the Fenian Brotherhood in Tipperary; and, with Kickham, was a chief propagandist of it in that county. Subsequently his energies and ability were brought into play on a larger field of operations. In 1860 he began the study of medicine in Dublin, wrote for the press, and, on the organization of the *Irish People* corps, he became sub-editor of that journal.

At this time Mr. Mulcahy presented a fine personal appearance. Nearly six feet in height, with a skin fair

as a woman's, his rich golden hair long and curling to his shoulders, his beard fair and silky, and features mild and regular, gave him a dreamy, poetical look. When aroused, and speaking of Ireland, whether at the festive board, or addressing the impassioned sons of Tipperary, with his locks flung back from his brow and his mild eye transfigured into flame, he was the embodiment of the boldness and the passion of patriotism. At the period of the seizure of the Fenian organ, Mr. Mulcahy was arrested. After some delay he was brought to trial, and, on the 27th January, 1866, found guilty on all the counts. The trial was of the usual stereotyped kind; Nagle, the informer, and his fellows, being the Government resource.

The prisoner was about to reply to the usual question, when Mr. Justice Fitzgerald warned him that if he had any proper arguments "to address to the court, he could do so, but that the court would be obliged to interpose if the prisoner transgressed the proper limits."

Mr. Mulcahy—"My lords, several persons have been tried since the opening of this Special Commission. They were supplied with copies of most of the documents which were to be produced in evidence against them. When they came to this bar, they were fully aware of the charges they had to meet. I was arrested on the 28th September last. I asked for the information on which I was arrested. There was none to be produced to me. I was thrown into a cell and left there for twenty-four hours. I was brought before a magistrate, I was committed, or rather remanded. I was brought up again. I asked to be shown the evidence upon which I was arrested or remanded, but there was not a single tittle of evidence to be produced to me, I had nothing but the simple

statement of the magistrate—"Sir, I shall remand you for a week." I therefore, expected nothing, but to be taken by surprise, and to be dealt with in the arbitrary manner in which I have been treated. In Luby's case the Attorney-General stated that he had documents which proved so overwhelmingly the existence of this conspiracy, that the jury who were empanelled should not try him, but convict him. Mr. Butt, who is one of the ablest lawyers at the Irish bar, made an application for a postponement of the trial, for the purpose of seeing certain documents; and on that occasion he pledged himself that there was not a single Act of Parliament which would justify the seizure of the *Irish People*, and the arrest of those connected with it. We were deprived of our liberty, thrown into solitary confinement, and those against whom the same charges were made, that they were engaged in this conspiracy, were not allowed to speak one word to each other. According to my lord's observations, every man was held responsible, not only for his own acts, but for the acts of his fellow conspirators, no matter at what time or place committed. When Mr. Butt made that application, the Attorney-General said that the prisoner had judicial knowledge of every single iota of evidence which was to be produced against him, and that copies of the evidence, or of the informations, would be given to him, and therefore he called upon you to refuse the application then made to you by that learned lawyer, who is an ornament to his profession and an honor to his country. I relied on the truthfulness of the Attorney-General. I attached to his words that weight and importance which were due to him as the representative of the Crown of this country—due to him as a lawyer and a gentleman, and I therefore thought that I would not be taken by surprise. But how has he dealt with me? That is the question. When I came here yesterday morning, Mr. Lawless, who was untiring in his exertions on behalf of those who were accused of being concerned in what is called a treacherous conspiracy—an infamous conspiracy—we have heard so much of learned brothers—of learned friends, that one would have expected there should be nothing said that was not correct. We were charged by Mr. Barry in his opening statement"—

Mr. Justice Fitzgerald stopped him as he had "not yet made one legitimate observation"—

Prisoner—"I am going to show that I was taken by surprise."

Mr. Justice Fitzgerald—"That is a fair observation."

Prisoner—"Have I not a right to allude to it? I care very little for the treason-felony, but I conceive that my moral character has been assailed, and I do not wish that the imputations which have been made against it should go abroad on the wings of the press. It was alleged by Mr. Barry in his"—

Mr. Justice Fitzgerald—"I have already told you that we cannot hear that."

Prisoner—"Mr. Barry alleged that we preached the doctrines of socialism. I deny that; I deny the charge of assassination. I maintain that the doctrines preached by the *Irish People*"—

Mr. Justice Fitzgerald—"I cannot hear you further."

Prisoner—"Respecting the charge made against me, I say that the doctrines put forward against me in that paper are put forward by John Stuart Mill, who is certainly as high an authority as you can find. As regards the evidence"—

Mr. Justice Fitzgerald—"The jury have determined upon that."

Prisoner—"I want to show that there was nothing immoral in the doctrines preached by the *Irish People*"—

Mr. Justice Fitzgerald—"I won't listen to you."

Prisoner—"I never yet knew a prisoner to hit on that happy phrase why sentence should not be passed upon him"

The Judge here repeated his previous warning, adding, "I was further under the apprehension that you might give utterance to expressions which might coerce me to impose a severer sentence than the court intended."

Prisoner—"I have been found guilty on insufficient evidence. It was not proved that I was in Clonmel. It was not proved that I acted as a Fenian. Mr. Vowell could not say that he saw me write for the last ten years. He could not swear to my handwriting. It was impossible that he could judge of the character of my writing. He states I was only sixteen years of age when I was in his office; he also stated what was perfectly false. If a man's oath is anything, he stated what was pure perjury. He

swore that he never paid me back money, for which I processed him. That is a fact which I could establish. The Attorney-General said something about being dupes of Stephens, Luby and O'Leary"—

Mr. Justice Fitzgerald—"I cannot allow this."

Prisoner—"With regard to the connection between Stephens and Luby"—

The Judge would not listen to that subject.

Prisoner—"One of these letters was put in for the purpose of connecting me with Fenianism. There was not a single particle of evidence in the case to show that I knew anything of the acts of others. There was no evidence that I ever went to a drill meeting; no single particle of evidence that I was at the meeting in Clonmel." The prisoner then proceeded to point out discrepancies in Nagle's evidence, with a view to show that it was wholly incorrect. He asserted that Nagle's statement that he (prisoner) had given him a letter of introduction to John O'Mahony was false.

Mr. Justice Fitzgerald—"I really must put a stop to these observations. You are simply wasting time."

Prisoner—"All I have now to say is that the *Irish People* preached proper doctrines, and that I am proud of my connection with it, and with Stephens, Luby, John O'Leary"—

Mr. Justice Fitzgerald—"I have warned you of the consequences."

Prisoner—"I am now prepared to receive sentence."

The prisoner was sentenced to penal servitude for ten years.

Mulcahy, like his friends, suffered and suffers severely in prison. A letter from Dartmoor—a situation on a moor more than a thousand feet above the level of the sea, with a humid, foggy and cold climate—indicated his sufferings: "Nothing can be less suitable for one who has suffered as I had at Millbank from

neuralgia, which I first caught there owing to the strong currents of air which passed through my cell." "It did occur to me," he continues, "that I may not be sent back to Portland till the decision of the lords was known, but that I might be removed to Woking, as it was convenient to London." * * * * "Had I given way to my grief, I must have sunk; but I meditated on the words of the Lord to Jeremias: 'Think thoughts of peace and not of affliction; you shall call upon me, and I will hear you; I will bring back your captivity from all places.' I've placed myself under the protection of the Blessed Virgin Mary, implored her intercession, and cast all my care upon her Divine Son, and so I've been able to do what I fear I otherwise should not bear with resignation—my fate."

The decision of the Lords alluded to was in a writ of error sued out in his case. Mr. Mulcahy was subsequently returned to the "felon cells" of Pentonville.

JOHN FLOOD, EDWARD DUFFY, MICHAEL CODY.

Flood Arrested with McCafferty—Aids to Release Stephens—Position in the Organization. Duffy Arrested with Stephens—Sick in Prison—Liberated—Re-Arrested and Identified—Trials—Flood, Duffy and Cody found Guilty—Their Speeches in the Dock—Sentences.

JOHN FLOOD, who was arrested with McCafferty in the Liffey under the name of Phillips, and who was so constantly alluded to by the informer and detectives, presented a striking appearance when confronted with his persecutors. A fine looking man, of large person, and frank, handsome features, adorned by an ample beard of a tawny color, his bearing was upright and stalwart, and he seemed little affected by the confinement of prison life. John Flood is about thirty years of age, and a Wexford man. He first became specially distinguished by his participation in the arrangements for the escape of Stephens from Ireland. He accompanied Stephens and Colonel Kelly in their perilous journey from Dublin to Scotland. Adverse winds blew their boat into Belfast Harbor with the loss of their tiller; and it was owing to Flood's knowledge and experience that the party were saved. He received a severe injury in the hand letting go the an-

chor in the hurry to prevent their being driven too far into the harbor. Flood saw Stephens safe to Paris, and after a few days returned to Ireland, and almost immediately took his position as one of the first officers of the English and Scotch Organization. He is frequently alluded to as one of the "Directory" and as chief projector of the Chester affair. His comrades speak of him as a man of great energy, who always stood faithfully to his work, and was respected and relied upon by the people.

It will be remembered that Edward Duffy was one of the parties arrested at Stephens' house on the morning of the 11th November, 1865. He was charged at the same time with confederating and conspiring to levy war against the Queen, to separate Ireland from England, and to establish a republic in the former. On this occasion, before the magistrates, Mr. Duffy sharply catechised the police, and denied the right of the latter to search suspected localities without a warrant. He wanted to expose the fact that "according to British law, a constable can arrest a man for treason without a warrant" in Ireland. The chief police magistrate declined to discuss the point, and Duffy called on the members of the press who were present to note the fact, "in order," as he said, "that the public may know under what sort of law we are living." Mr. Duffy was committed, with his friends, Stephens, Kickham, and Brophy, to Richmond jail.

Mr. Edward Duffy was regarded as a person of more than usual influence in the organization—a man

of capacity, ability and resolution, who stood high in the estimation of the then controlling powers of the Brotherhood. While in prison, however, grave symptoms of disease manifested themselves, which threatened to end in consigning Mr. Duffy to a premature grave. The authorities, seeing his health such as would prevent any future aid to the cause for which he was arrested, set him at liberty. He went to the west of Ireland, and, in company with a young man named Thomas Egan, was again arrested at Boyle in the County of Roscommon, on the 11th of March, 1866. The prisoners were immediately conveyed to Dublin; and on the trial of Captain McCafferty, while the informer Corydon was being examined, Mr. Duffy was brought forward for identification with John Flood. Duffy was characterized as "the organizer for the province of Connaught." They were subsequently brought to trial at the Special Commission, Dublin; and on Friday, 17th May, Flood, Duffy, and Michael Cody, (who attempted to shoot his captors,) were found guilty of treason-felony. It will be remembered that Flood and McCafferty were arrested on the 23d February, after having eluded the authorities from the day of the Chester demonstration; and it was sought to directly connect them with the rising of the 5th March. An authoritative communication to the Dublin *Irishman* contradicts this, and we are in a position to know that the statement which follows is based on fact:

"Of course anything that I can say now cannot alter the sentence of the law, nor be of any benefit to the prisoner; yet it is

due to history that the truth should be known. The Directory, of which it was supposed that Flood and McCafferty were members, had been dissolved long before they came to Ireland. The rising of the 5th was planned by other parties, and long after Flood and McCafferty were arrested. All this Massey could have told were he allowed to give evidence on the trial of either. The paper so cleverly "burked" by the Crown, would also prove that these two men had nothing whatever to do with the rising, nor did they even know of that event. It is plain that the Crown lawyers kept Massey and his informations back for the purpose of having Flood and McCafferty convicted. They knew that the production of either on the trial would infallibly acquit them. How will an astonished world look upon the English Government when that paper, in the keeping of the Chief Secretary, shall see the light and confirm my statement, that these men are innocent!

On Tuesday, the 21st May, Flood, Duffy, and Cody were brought up for sentence. In reply to the usual question, Flood stood forward, and in a strong, clear voice and pleasant utterance, said:

My lords—"I have been convicted on the evidence of three men. Not one word of truth has either of them sworn. To begin with Corydon. I will say that I was not present at the meeting he describes as having taken place in Liverpool. I knew nothing about it, and I believe that the Crown counsel have had in their hands the means of disproving what he said. I believe that Massey's evidence would go to disprove it, and in fact, there never was a Directory of which I was a member. The Crown had that evidence in their hands, and would not produce it. I was not in that place in Chester where Bray says I was. Every word he swore concerning me was a falsehood from beginning to end. I may say that a detective officer went over to Manchester, but the Attorney-General denied it, to tamper with a witness. If the detective went to Manchester, and sought to know whether these people told the truth or not, he must have satisfied himself that

they did tell the truth, and that I was in Manchester at the time. Therefore, I say, the Crown held possession of evidence, which they withheld, to prove that I was not at Chester at the time the detective swore I was. I positively declare that the detective never saw me there, for I was not there. Now the evidence of Dawson, that very effective detective, bears falsehood on the face of it. He swears he saw me, and knew my appearance, about town for a length of time, and met me in Burke's public house, where I never was in my life. A strange coincidence is that on that night he saw me enter a drill-room. Can any one believe that that is true? Now I say I have been unfairly dealt with otherwise, and I say that, by a sort of legal legerdemain, I have been placed on trial here on the terrible charge of assassination. No man in this court could regard such a charge with greater horror than I do. No man has a greater horror of it, and I never heard of such an odious and abominable conspiracy as the witness Meara had deposed to. I am sure that no true Irishman would attempt to have anything to do with such a thing. I heard nothing about it, and I do say that, if I should have been tried with any one, I should have been tried with McCafferty, the man with whom I was identified, and with whom I was arrested. I might have got a fair trial then, but I declare I have not had a fair trial. There has been an extreme course adopted by the Crown toward me from my arrest to the present hour. I say they had evidence in their possession which would have gone to prove my innocence, and it has been suppressed. Let them deny that. The Attorney-General says he thinks he is above motives. I impute no motives. I state facts and leave the world to judge. You saw how the identification has been proved against me by that woman from Chester. I will tell you how such a thing is carried on. We were taken to Mountjoy and paraded before the Detective Police, and day after day came groups of people, either informers or detectives from England or elsewhere, always accompanied by one or more of the detectives who came there the day before; and I do not know but these people were told, 'That's Flood,' or 'That's McCafferty.' If they had come forward and identified me properly, they should have said, 'You are the man I saw in Chester, or Liverpool,' as

the case may be. I repeat again that I have been unfairly dealt with in every sense of the word. The Attorney-General has alluded to me repeatedly as 'that wretched man.' If loving my country through my whole life should make me wretched, I am wretched indeed; for I tell you now, and I tell the world, that I not only abhor assassination, but that I would rather go to my doom than be guilty of the moral assassination that has been practiced against me. I am ready, my lords, for my sentence."

The usual question was then put to Duffy, who stepped forward, and despite the miserably weak state to which illness had reduced him, spoke as follows, clearly and distinctly, but evidently with much difficulty:

My Lords—"I am not in a capacity to say much to your lordships, after the evidence of that man Kelly against me. He has sworn falsely against me. I leave my countrymen to judge. There is no political act of mine which I regret. I joined the association sincerely, for my country's cause, and I have been actuated throughout by a strong sense of duty. I believe that a man's duty to his country is part of his duty to God, for it is He that, in fact, implants the feeling of patriotism in the human breast, and who knows whether I have been actuated by any paltry ambition, and whether I have worked for any selfish ends. For the late outbreak I am not responsible. I did all in my power to prevent it, knowing that, circumstanced as we were, it would be a failure. I feel bound, in justice to myself, to say this. It had been stated on the trials that Stephens was for peace. That was a mistake, and it may be well that it should not be left uncontradicted. It is but too well known in Ireland that he sent numbers of men here to fight, promising them to be with them when the time would come. The time did come, but not Mr. Stephens. He remained behind. He went to France to see the Paris Exhibition. It may be a very pleasant sight, but I would not be in his place now. He is a lost man—lost to Ireland, lost to his country. There are a

few things that I would wish to say relative to the evidence given on my trial, but I request, my lord, that you would give me permission to make those remarks after sentence has been passed. They solely and entirely relate to the evidence, and I have a reason for asking why I should be allowed to say them after sentence has been passed."

The Chief Justice—"That is not the usual practice. The fact of your not having been tried for your life makes it very doubtful to me whether you should speak at all as to why sentence should not be passed upon you."

The prisoner—"With regard to the first piece of evidence, I declare before my God, that not one word that man swore against me on the table was true. He swore he saw me at Enniskerry; but I never spoke to him on any political subject, or that I ever knew him to be an important member of the association until I saw the informations, I declare to Heaven I never did. He never spoke to me in my life, I knew him from the time he was a child, and I knew him to be among the vilest and worst in that little town, and I knew the character he was. Is it to be supposed that I would put my liberty into the hands of such a character? I never did. The next witness is Corydon. He swore that at the meeting to which he referred, I gave him directions to go to Kerry to O'Connor, and put himself in communication with them. I declare to my God that every word of that is false. Whether O'Connor was in the country or whether he made his escape, I knew as little as your lordship, and never heard of the Kerry rising till the tale of it appeared in the public papers. There is not a word of that that is not false. And as to giving the American officers information, before my God, and on the verge of my grave, as the sentence will send me to it, I say that is also false. As to the writing the policeman swore to in that book, and which is not a prayer book—it is an 'Imitation of Christ given to me,' by a lady to whom I served my time—what was written in that book was written by another young man who was in her employment. That is his and not my writing. That is the writing of a young man in the house, and I never wrote a line or a word of it."

The Lord Chief Justice—"It was not sworn to be in your handwriting, as I understand."

Prisoner—"Yes, my lord. It was the policeman that swore it was in my handwriting."

The Lord Chief Justice—"That is a mistake. It was said to be like yours, but it was not given in evidence against you."

Prisoner—"It was said to be my writing. The jury have doomed me to a painful, but not less glorious death. I bid farewell to my friends and all who are dear to me. There is yet a world where souls are free, and in that world I would sooner be than live in a life like this. I am proud to be considered worthy of suffering for my country, and when I am in my lonely cell, during the longings of my weary spirit, I shall not forget Ireland, and my constant prayer shall be that the God of Liberty may give her time and strength to shake off her chains. (Addressing the reporters)—I would not wish it to be supposed that it was on account of my position now that I spoke as I did. I am not able to speak on account of my disease, and I do not wish it said that it was on account of my position. It is on account of my illness."

Michael Cody was regarded as a very dangerous character, and the names of the judges, prosecuting counsel, and jurors who tried Bourke and Doran having been found upon him, gave a pretext to the authorities to extend unusual severity to him. When his turn came to address the court, he said:

"As to the evidence of Foley, there are two men prepared to say he never saw me until he was brought to Kilmainham. Meagher says he met me in company with Baines, in the Canal Tavern, with a parcel of bowie-knives. This, also, is false, for I never had a bowie-knife in my possession, but one which was found in my possession in Lesson Lane. As to my acquaintance with St. Clair, Devoy, and others, I feel proud to be acquainted with them. From the moment I became sensible of my arrest,

I was fully confident that a case would be trumped up against me, and I am not disappointed with the verdict. As to Corydon, he also swears that he knew me in 1865, and that I filled the position of centre, military organizer, detective, and Chief of the Assassination Committee. I am not so presumptuous as to imagine myself competent to fill any one of them; but in justice to my own character, and in justice to the character of the men who are in the dungeons of Portland, I think I have a right to say that that charge is altogether unfounded. I am now about to be deprived of my liberty, perhaps for life, and I would scorn to say what is false, even to get out of this dock; and before God and this assembly I say that the charge against me of being connected with that assassination committee, is as false as God is true. I have nothing more to say."

Mr. Baron Deasy then proceeded to pass sentence. In the course of his observations, he fully exonerated Flood and Duffy from any connection with the assassination plan, referred to by Corydon, and sentenced them to Fifteen Years' Penal Servitude each. The "evidence" produced against Cody on his trial, and the circumstance of his previous arrest, "compelled the Court" to give him Twenty years.

After the sentence had been pronounced, the convicts were removed from the cells beneath the court and conveyed to Mountjoy prison, escorted by mounted police, and two troops of the Ninth Lancers.

GENERAL JOHN O'NEILL.

Birth—Local Inspiration at Clontibret—Emigrates to U. S.—At Business—Military Leanings—Goes to the Mormon War—The Rebellion—Services In—Promotions—Military Instructor—Lieutenant of the 5th Indiana Cavalry—His Dash—Whips Morgan's Men at Buffington Bar—Sick—Fighting Again—Resigns—Romantic Marriage—A Fenian—The Representative Man of the Canadian Party—The Invasion of Canada—He Commands the Expedition—Battle of Ridgeway—Conflict at Fort Erie—Not Supported—Arrested by U. S. Authorities while Re-crossing.

JOHN O'NEILL was born in the townland of Drummagallon, parish of Clontibret, County Monaghan, on the 8th of March, 1834. His father died five weeks before the birth of his son, and his mother came to America in 1840, accompanied by a brother, leaving the children, two sons and a daughter, with their grand parents in Monaghan. Three years afterwards she sent for the two eldest children, the youngest, John, being allowed to remain at the earnest request of his relatives. He availed himself of the opportunities for such education as the school attached to Clontibret Church afforded; and, in the historic lore of the locality, had his young blood stirred with tales of the great hero of his race, Hugh O'Neill, who at this place, in 1595, put Elizabeth's troops, under Sir John Norris, to rout, and killed in single combat Sedgrave, who was esteemed the most valiant and power-

ful champion in the English pale. Doubtless these scenes and tales were the inspiration which opened the path to Ridgeway.

In the Spring of 1848 the boy O'Neill came to America and joined his mother in Elizabeth, New Jersey. After attending school for a year he entered a store as clerk, in which position he remained less than three years. This business did not suit his ambitious nature. He wanted to see the world—to choose his own vocation. Quick, intelligent and reliable, he started out when little more than seventeen years of age to carve out his fortune. He traveled as agent for a New York publishing house through New Jersey, Pennsylvania, and Maryland, and subsequently in Virginia, as agent of a London House. In the Fall of 1855, he started a Catholic bookstore in Richmond, but the enterprise failed for lack of Catholic population and spirit in that city.

O'Neill's leanings had always been to a military life, and he had only been prevented from entering upon it by the opposition of his mother and relatives. He had now mixed considerably with the world. Travel had but added to his soldier sympathies, and when the Mormon War was the chief topic of speculation, he enlisted in the Second Dragoons at Baltimore, May, 1857. When the Rebellion broke out O'Neill was serving in the 1st Cavalry at Fort Crook, California, and accompanied that regiment to the Atlantic side, arriving in Washington on Christmas day, 1861. He served under McClellan throughout the Peninsula campaign, had command of General Stone-

man's body guard at the battle of Williamsburgh; was through the seven days in front of Richmond; and had his horse shot under him at Gaines' Mills, just before the Irish Brigade came up and saved the day. After McClellan's retreat to Harrison's Landing, the 1st Cavalry was temporarily broken up, and most of the commissioned and non-commissioned officers were sent on recruiting service. O'Neill was detailed to Indianapolis, and while there did valuable service as instructor of the cavalry officers of the "Home Legion," as well as of companies and regiments then being organized for the field. O'Neill had been private, corporal, sergeant, and acting sergeant-major in the regular cavalry, and now left that service to accept the position of Second Lieutenant in the 5th Indiana Cavalry.

With this regiment Lieutenant O'Neill served in Kentucky during the Spring and part of the Summer of 1863, and was conspicuous in the pursuit of John Morgan through Kentucky, Indiana and Ohio. His services became so well acknowledged by the regiment, that whenever a detail was made for a scouting party, the question "is O'Neill going to lead it," became of common occurrence. A soldier who served with him, writing from Bardstown, Ky., in August, '63, says: "We know of seven rebels he has killed with his own hands. We know he charged and put to rout 200 rebels with 33 men. We know he charged two regiments of Morgan's command with fifty men, and took three of their guns. Let every officer in the service do that well, and the privates will soon finish the

balance." His achievement with Morgan's regiments we give almost in the words of Archbishop Purcell, of Cincinnati:

General Judah left Pomeroy for Buffington on the night of the 19th July, 1863. He sent first Lieutenant O'Neill with fifty men ahead to try and open communications with the militia, said to be in close proximity. He arrived an hour and a half after daylight, learned that the militia had been skirmishing during the night, and that Judah's advance had been ambushed—the morning being very foggy—and the General's A. A. G., Captain Kise, and the Chief of Artillery, Captain Henshaw, some thirty men, with one piece of artillery, captured and carried to Morgan's headquarters, on the river road, some two miles ahead. The Lieutenant at once resolved to recapture them, and kept steadily on. Several parties tried to stop him, but a volley invariably drove them back. At length he came on Morgan with two regiments and a body guard of one hundred men. He halted his men suddenly at an angle of the road within a hundred and fifty paces. He was prevented from giving them a volley by seeing some of his own men in front. Giving the order "forward," he dashed in. Morgan broke and ran. All of our men were recaptured and thirty of the enemy taken. O'Neill pursued Morgan for two miles and captured three pieces of artillery. "This," says Archbishop Purcell, "was the last of Morgan on the field."

After the Morgan chase, Lieutenant O'Neill experienced a very severe illness, and lay at the point of

death for weeks in Rising Sun, Indiana. Joining his regiment on the 10th November, he was severely wounded on the 2d December, while gallantly and successfully repelling a charge of the enemy at Walker's Ford, Clinch River, East Tennessee. Here, the Colonel failing to rally the men, O'Neill took command. "He rode out all the day, never seeking shelter, cheering the men. When other officers had given up all as lost, he replied, 'not by a long sight.' He met with a hearty response from the men." He was wounded while successfully making the last stand. Compelled to take rest, he received leave of absence, and for the first time in seven years visited his mother and relatives at their New Jersey homes.

Returning to his regiment, and finding political influence stronger than soldierly merit, Lieutenant O'Neill resigned. At his own request he was appointed Captain in the 11th U. S. Colored Infantry, and was detailed on the Military Examining Board, sitting at Nashville, Tennessee. He was promised the Colonelcy of a colored regiment of cavalry; but the organization of these troops was dispensed with towards the close of the war, and the Captain's wound becoming troublesome, he tendered his resignation to the War Department, which was accepted November, 1864. He got married about this time, under romantic circumstances. A young lady—Miss Mary Crow—to whom he had been engaged in California, hearing of his wounds, came from the shores of the Pacific with a family of her acquaintance, to nurse and tend the hero to whom she had pledged her troth. His

devotion was equal to her faith, and he at once gave her the right to comfort him as a wife.

In May, 1865, Captain O'Neill opened an office in Nashville, Tennessee, and was remarkably successful. This he gave up to fulfil what he believed to be his duty in following the policy adopted by the seceding wing of the Fenian Organization. His connection with the invasion of Canada, makes him the representative military man of the Canadian party—and, indeed, regarding that invasion as the result of the policy of that party, he may be regarded as the most comprehensive representative man of the spirit of that party in its entirety. The record of General O'Neill in this especial connection, is made from his official report, kindly furnished at the request of the writer.

In obedience to orders, Colonel O'Neill left Nashville on the 27th May, 1866, and arrived at Buffalo, N. Y., on the 30th. Being the senior officer present, he was designated to lead the projected expedition. On the night of the 31st, eight hundred men were reported—detachments from the following regiments: 13th Infantry, Colonel John O'Neill; 17th Infantry, Colonel Owen Starr; 18th Infantry, Lieutenant-Colonel Grace; 7th Infantry, Colonel John Hoy; and two companies from Indiana, under Captain Haggerty; but not more than six hundred were got together when the crossing took place. The movement commenced at midnight. At 3:30 A. M. on June 1st, the men and arms and ammunition were put on board four canal boats at a point called Little Black Rock. They were towed across the Niagara river, and landed at Water-

loo. At 4 o'clock in the morning the Irish flag was displayed on British soil by Colonel Starr, who commanded the two first boats. On landing, O'Neill ordered the telegraph wires to be cut down, and sent a party to destroy the railroad bridge leading to Port Colborne. Starr, with the Kentucky and Indiana contingents, proceeded through the town of Erie to the old Fort, some three miles up the river, and occupied it. O'Neill then demanded subsistence of the citizens of Erie, assuring them that no depredations would be permitted, and his request was cheerfully complied with. At 10 o'clock he moved into camp at Newbiggin's farm, on Frenchman's Creek, four miles from Fort Erie, down the river, and occupied it until 10 P. M. Some of his men on a foraging excursion on the Chippewa road, had come up with the enemy's scouts, and towards night O'Neill received intelligence that a large force (said to be 5,000) with artillery, were advancing in two columns—one from Chippewa, the other from Port Colborne—also, that troops from the latter were to attack him from the Lake side. At this time, owing to straggling and desertion, O'Neill's force was not more than five hundred men. The odds were terrible, but the commander was schooled in danger. At 10 P. M. he broke camp, and marched towards Chippewa, and at midnight changed direction, and moved on the Lime Stone Ridge road leading towards Ridgeway. His object was to meet the column coming from Port Colborne—to get between the two columns, and defeat one before the other could render aid.

At about 7 o'clock on the morning of 2d June, within three miles of Ridgeway, Colonel Starr, commanding the advance, came up with the advance of the enemy, mounted. He drove them within sight of their skirmish line, which extended about half a mile on both sides of the road. O'Neill immediately advanced his skirmishers and formed a line of battle behind temporary breastworks made of rails, on a road leading to Fort Erie, and parallel with the enemy. The skirmishing was briskly kept up for half an hour. The enemy was attempting to flank O'Neill on both sides; and he failed to draw their centre, which was partially protected by thick timber. In this exigency he fell back a few hundred yards, and formed a new line. The British, seeing how few the invading troops were, became adventurous. They supposed O'Neill had retreated, and advanced in pursuit. Now was O'Neill's chance, and he did not fail to take it. The British come on rapidly after the Irish, who "retreat" not quite so rapidly. They come nearer and nearer—now they are near enough for O'Neill's purpose. He gives his orders with decision; a volley stops the career of the British; it is their turn to retreat—but they retreat in earnest, with the Irish after them in earnest too; driving them for three miles, and through the town of Ridgeway. In their retreat, the British threw away knapsacks, guns, and everything likely to retard their speed, and left some ten or twelve killed, nearly thirty wounded, with twelve prisoners in the hands of the Irish. O'Neill gave up the pursuit one mile beyond Ridgeway.

Although victorious, O'Neill's position was very critical. The reported strength of the enemy he had engaged was 1,400, embracing the "Queen's Own," the Hamilton Battalion, and other troops. A regiment from Port Colborne was said to be on the road to reinforce them. The column from Chippewa would also hear of the fight, and move on his rear with all celerity. Thus situated, he decided to return to Fort Erie and learn if reinforcements for the invading army had been sent across at any other points. Seeing after the dead and wounded, he divided his command, and sent Starr with one half down the Railroad to destroy it and the bridges, and led the rest on the pike-road to Fort Erie. They united at the old fort at 4 P. M. O'Neill next had a skirmish with the Welland Battery, which had arrived there from Port Colborne in the morning, and had picked up some stragglers and deserters. The enemy fired from the houses. Three or four men were killed, and twice that number were wounded on both sides. Here the Irish captured forty-five prisoners, among them Captain King, wounded—who had his leg amputated; Lieutenant McDonald, Royal Navy, and Lieutenant Nemo, Royal Artillery. Taking precautions against surprise, O'Neill put himself in communication with his friends in Buffalo, stating his desperate position. He was willing, if a movement was going on elsewhere, to hold out; and, if necessary, to make the old Fort a slaughter-pen sooner than surrender. His men were without food or supplies, and had marched forty miles, and had two conflicts. When, therefore, he

learned that no crossing had been made in his aid, he promptly demanded transportation, which was furnished about midnight of the 2d June. They were all on board by 2 A. M., and when in American waters, they were arrested by the American authorities. So ended the invasion of Canada. The commanding officer, under the trying circumstances by which he was surrounded, displayed undoubted capacity. If he had been supported, there is no doubt he would have added to his military distinction.

Having been released on his own recognizance to answer the charge of violation of the Neutrality Laws, General O'Neill returned to Tennessee. He subsequently took up his abode in Washington, D. C., where he hopes to repair the inroads made upon his property. He said to a friend recently that the services to the cause, thus briefly described, have damaged his fortunes to the amount of at least thirty thousand dollars.

DECLARATIONS IN THE DOCK.

Moore, the Pikemaker—John Haltigan—Bryan Dillon—John Lynch—Jeremiah O'Donovan—Thomas Duggan—Charles Underwood O'Connell—J. B. S. Casey ("The Galtee Boy")—Michael O'Regan—John Kinnealy—James O'Connor—C. M. O'Keeffe—Cornelius O'Mahony—C. Dwyer Keane—Martin Hanly Carey—Daniel O'Connell—William Francis Roanmore—Patrick John Heybourne—James Flood—Hugh Francis Brophy—Patrick Doran—M. A. O'Brennan.

MICHAEL MOORE, a blacksmith, was, on the 6th December, 1865, placed at the bar, and indicted for conspiring to depose the Queen, to levy war upon her, and stir up strangers to invade Ireland.

The Attorney-General stated the case, reading a number of documents and letters, which referred to the prisoner's connection with the recognized Fenian leaders in Ireland and America. The testimony of the informers, Nagle and Power, was the same as on previous trials. Mr. Butt, Queen's Counsel, addressed the jury for the defence, and was followed by the Solicitor-General on the part of the Crown.

The prisoner, who was found guilty, having been asked by the clerk of the Crown if he had anything to say why sentence should not be passed upon him, said that with regard to his trial, what he had to say was that the verdict was not altogether unexpected on his part, after the charge he heard from the judge. He had been brought there unexpectedly. He did not expect to be brought into that court to be tried for what he was accused of. He be-

lied he was not guilty in any case. He was firmly convinced he was found guilty before he was tried. From the first day he entered the jail he was sure that would be the case. Therefore the verdict had little or no effect upon him. He hoped that those who had found him guilty were satisfied he was guilty, for they had found him guilty of that in which he took no act or part whatever. The jury had done their duty as far as the law required—the law which governed Ireland, which made an honest man become a “rebel,” as they termed it, and made him even worse than that. He could not say a great deal in his own defence, for he did not possess any ability or talent—he was only an humble working man. When a man was found guilty of high treason for striving to earn an honest livelihood in his own country, he just put that forward as a sample of what those who had to live in this country had to expect. He was now done, except merely to ask that a few articles of his in the jail, with some other little matters in the hands of the police, belonging to him, would be given to his wife.

The prisoner spoke in a firm voice, but at the same time with a quietness of demeanor.

Judge Keogh promised that Moore's request should be granted, and then passed sentence on him of ten years' penal servitude.

JOHN HALTIGAN, the registered printer of the *Irish People*, was indicted and tried for treason-felony and conspiracy on the 8th December, 1865. Mr Haltigan had identified himself with Irish nationality from youth.

Haltigan was foreman printer in the office of the *Kilkenny Journal*; and when Fenianism first started was one amongst its earliest members, always ready with his means; and nominally the head of the organ-

ization in Kilkenny since 1859, he became actually so after the incarceration of P. M. Delany, and in that capacity extended the organization all over the country. He became printer of the *Irish People*; and with T. C. Luby and O'Donovan (Rossa), was a registered proprietor. He spent most of his time, however, traveling through different parts of Ireland with authoritative messages, and organizing. His movements were narrowly watched by the detectives; and the police throughout the County Kilkenny had special orders to be on his trail.

“I remember well,” says Mr. T. P. McKenna, “the day appointed for the nomination of candidates for parliament for the county of Kilkenny, when all the Fenians, preceded by a band, were coming in from Callan with Dunne, the nailor, who was put up as member for the county, Coyne and Cody, of Callan, and Haltigan in the foremost rank. Dunne having his placards posted throughout the county that he would attend to receive the nomination at the Court House in Kilkenny, the authorities at Dublin Castle thought it prudent to send an extra detachment of soldiers to that city. The Fenians marched ‘four deep’ through the city to the Court House; but drawn up on the street through which they had to pass was a detachment of lancers, headed by the stipendiary magistrate, who ordered them to halt, and told them he would not permit them to pass. Haltigan's face got flushed, and going forward he told the magistrates that they would pass if it cost them their lives. The officials half cowered at the threat, and said they

would be allowed to pass if they got out of military order. This Haltigan and Coyne would not consent to do, and after some more bandying of words they were permitted to pass. This, although a slight incident, is characteristic of the manliness and determination of the man."

Haltigan was taken the night of the seizure of the *Irish People*, and was the fourth man tried at the Special Commission. The day preceding his trial, an article appeared in some Dublin daily paper, intimating that if his antecedents alone were investigated, it would be sufficient to convict him on his trial. His counsel, Mr. Sidney, Q. C., had the article next day in court, and contended that it would prejudice his client's case. All Judge Keogh did was to say the article was an improper one. He was convicted. In answer to the formal question, the prisoner said he had nothing to say, and was then sentenced to seven years' penal servitude.

Haltigan turned round, leaned over the edge of the dock and kissed his son who stood near him—a lad of about sixteen years of age, the eldest of a family of nine—and he then left the dock.

The son, true to the principles for which his father was exiled—true to the promise made him in the dock—was indefatigable in his exertions to extend the organization. He traveled throughout the country with messages from the Chief, and, in turn, was subjected to the vigilance of the police. On the suspension of the *Habeas Corpus* Act he had to secrete himself, and came to America in the Winter of '66-7.

BRYAN DILLON, of Dillon's Cross, Cork, was tried at the Special Commission, Cork, Friday, 19th December, 1865, and found guilty. In reply to the usual question, he spoke firmly, but inaudibly, and said:

He never was even for one minute in Warner's (the informers) company; that what Warner swore about him was totally untrue, and that he never was at a meeting at Geary's house. The existence of the Fenian organization had been proved sufficiently to their lordships. He was a Centre in that organization, but it did not follow from that that he had to take the chair at any meeting, as it was a military organization. He did not want to conceal anything. Warner had no connection with him whatever. With respect to the observation of the Attorney-General, which pained him very much, that it was intended to seize property, it did not follow because of his social station that he intended to appropriate the property of others. His belief in the ultimate independence of Ireland was as firm as his religious belief.

Judge Keogh—"We cannot hear that. We will give you any indulgence we can, but we cannot hear words spoken that are in fact a repetition of the charge."

Dillon said he had no more to say.

He was sentenced to ten years' penal servitude.

JOHN LYNCH was tried at the same time and received the same sentence, previous to which he said:

"I will say a few words, my lords. I know it would be only a waste of public time if I entered into any explanation of my political opinions—opinions which I know are shared in by the vast majority of my fellow countrymen. Standing here, as I do, will be to them the surest proof of my sincerity and honesty. With reference to the statement of Warner, all I have to say is, and I say it honestly and solemnly, that I never attended a meeting at Geary's, that I never exercised with a rifle there, that I never

learned the use of the rifle, nor did any of the other things he swore to. With respect to my opinion on British rule in this country"—

Mr. Justice Keogh—"We can't hear that."

The Prisoner—"All I have to say is that I was not at Geary's for four or five months before my arrest, so that Warner's statement is untrue. If having served my country honestly and sincerely be treason, I am not ashamed of it. I am now prepared to receive any punishment British law can inflict on me.

JEREMIAH O'DONOVAN and THOMAS DUGGAN were charged with swearing in soldiers of the 4th Dragoon Guards. Tried on 20th December, 1865, and found guilty. Donovan was sentenced to five years' penal servitude, and Daggan to ten years.

CHARLES UNDERWOOD O'CONNELL is a native of the County Cork. He has had the benefit of a good education, and became a member of the Organization in its early days. His parents were dispossessed of their farm, and the whole family was subsequently prosecuted by the landlord on a charge of conspiring to intimidate him by threatening letters. Charles came to America in 1862, and returning to Ireland, remained about six months, when he again came to New York. He organized Company K, of the 99th Regiment, N. Y. N. G., and served with it at Elmira in charge of the Confederate prisoners. He was passionately fond of music and poetry, and his tent was the rendezvous of many congenial spirits. The strains of "The Battle Eve of the Brigade," "O'Donnel Abao" and other inspiring songs and ballads, were fre-

quently heard therein. In September, 1865, Captain O'Connell left for Ireland, bearing a package of the contents of which he was ignorant, but which were sufficient to show his intimacy with the Fenian leaders. He was arrested on his landing. He was brought to trial on the 20th December, 1865, and found guilty the next day. Being asked if he had anything to say, he, after a brief pause, said:

"I have; and in the few remarks I have to make, I hope I shall not be guilty of any disrespect to this honorable court. It is the boast of the proud Briton that in the eye of the English law every man, before his crime is proved, is supposed to be innocent, I have to complain that I was tried, found guilty, and punished before ever I was brought into this court. When I left the United States, to which I have sworn allegiance, upon my legitimate business, and before I had landed, I was seized by policemen and dragged off to the police barracks. There, Sub-Inspector Greaves, surrounded by his men, who danced about me like dogs around a wild beast, stripped me naked. I swear this before God. He then gave orders to have me thrust into a cell where a drunken English soldier had been imprisoned. I have to speak of the oral testimony brought against me—the evidence of Sub-Inspector Greaves. He has sworn as to the sealed parcel found in my possession and in my trunk. I most solemnly declare I was as ignorant of the contents of that package as I am of when time shall be no longer. These military documents connected with my regiment were in my trunk, and the sealed parcel was not in the breast pocket of my coat, but in my trousers pocket, and it was not taken from me by Sub-Inspector Greaves. He came towards me on the deck of the vessel, accompanied by the detective, and asked me if I had any arms, and I said I had a revolver, and thereupon handed it to him. Some observations passed, during which O'Mahony put his hand into my trousers pocket, pulled out the package and handed it to Greaves. Now, with regard to the tes-

timony of the policeman Sage, I say there is not a particle of truth in it—not a single word. I know this country well enough, and profess to be pretty well acquainted with it. I know the constabulary to be composed exclusively of Irishmen, and it would be idle for me to ask if he were an Irishman. Such a conversation as he has sworn to having passed between us never occurred—so help me God. The letter read as having been written by me from St. Louis was not mine, inasmuch as I was never in St. Louis in my life. Neither was that parcel given me by Col. John O'Mahony or by any person connected with his office. It was given to me by a gentleman in Broadway, New York, the day before I left to return home, with a request to hand it to some person in Dublin. Now, your honorable court, I do not believe there is a parallel in the wide world for the barbarities practiced upon political prisoners in this country."

Mr. Justice Keogh—"We cannot listen to that, and your common sense will tell you so."

Prisoner—"I have to complain that every little thing I had in the world was seized by the police—my private and family letters, books, and everything else—the letters from my poor exiled father and sisters to me; and these they have still in their possession. They do not contain anything I have reason to be ashamed of. They bitterly bewail their exile, but do not murmur against God or man. I have more than that to complain of"—

Mr. Justice Keogh interposed.

Prisoner—"I have set out by stating I believed that I was tried, found guilty, and punished before I was brought into this court. I will undertake to prove I have to complain of a miserable little scorpion"—

Mr. Justice Keogh—"We cannot hear that."

Prisoner—"I allude, my lord, to her Majesty's Attorney-General. No, I beg pardon; it is to the Solicitor-General, Mr. Sullivan."

Mr. Justice Keogh—"I won't hear anything upon that subject."

Prisoner—"I assure you I will prove that he is an enemy of a near and dear relative of mine, and that he endeavored to ruin him."

Mr. Justice Keogh—"We cannot allow these observations."

Prisoner—"Anything I state I say fearlessly and aboveboard. I shall say nothing of the hopes and aspirations which may have filled my mind"—

Mr. Justice Keogh—"We cannot allow you to proceed."

Prisoner—"I am not done, my lord."

Mr. Justice Keogh reminded him that he did not serve his case.

At this stage of the proceedings the prisoner's counsel advanced up to the bar and implored him to be silent.

Prisoner—"Before I conclude, I have to return my heartfelt thanks to the noble, gallant, and gifted counsel who conducted my defence. It has been put forward that I hold a commission in the 99th Regiment, under Col. John O'Mahony; and proud as I am of holding a commission in that regiment, I am equally proud of holding it under his command."

Mr. Justice Keogh—"We cannot hear that."

Prisoner—"Well, in conclusion, I believe"—

Mr. Butt, Q. C., here interposed.

Mr. Justice Keogh, in passing sentence, said:

"You say you swore allegiance to the American Republic, but no man by doing so can relieve himself of his allegiance to the British Crown. From the moment a man is born in this country he owes allegiance, he is a subject"—

Prisoner—"If that is so, why am I charged with bringing over foreigners—John O'Mahony is no foreigner."

The judge then sentenced him to ten years' penal servitude, upon which Captain O'Connell said, "I

hope there will be an exchange of prisoners before that time."

JOHN B. S. CASEY was arraigned for treason-felony at the Cork Commission, 29th December, 1865. Mr. Casey was a young man originally from Mitchelstown, who went to Cork and became a clerk to Mr. Geary, "whose house," said the Solicitor-General, "was the rendezvous of the principal conspirators." He contributed to the *Irish People* over the signature of "The Galtee Boy," and several of his communications were read as evidence of his offence—love of country. Though there was scarcely any evidence, save that of the perjurer, Warner, who even had the brazen-faced effrontery to swear that "the purpose for which he gave information against Casey and others was to put money in the pocket of Mr. Butt, Q. C.," his then cross examiner—the prisoner was found guilty, with a recommendation to mercy. In reply to the usual question, Mr. Casey said:

"My lord, I have only to say that the evidence sworn by that unfortunate wretch, Warner, against me, from beginning to end, is a tissue of most foul perjuries, and that I solemnly profess, before God, I never attended any of those drill meetings which he swears I did. His assertion is an unfounded untruth, and so also is his statement about the conversation between Geary and me. I have to say the same with respect to the swearing of the policeman Macauley. He never saw me writing—he could not—nor did I address a letter to him. I firmly believe that, from beginning to end, he has stated what is untrue. I have also to protest, in the face of the world, against this vile system of jury packing"—

Mr. Justice Fitzgerald would not allow the prisoner

to slander anything appertaining to the Court of Justice.

The Prisoner—"I have only to say that I protest against having been tried by that jury."

Sentence, penal servitude for five years.

MICHAEL O'REGAN was tried at the Cork Special Commission, 30th December, 1865, on a charge of Fenianism, and with having attempted, on the 2d November, to swear in as a Fenian, at Castletownsend, one Hallihan, a petty officer on board her majesty's ship Hastings. O'Regan, who was about thirty years of age, had recently returned from America. The Attorney-General said he was fully armed with all the implements to carry on the work of the brother; the "implements" found on O'Regan being, "a Roman Catholic prayer-book, a circular issued by the Wisconsin State Convention of the Fenian Brotherhood, a book on musketry, a drill book, an account book, with some mysterious items in it, a seditious song book, and an apparatus for making cartridges." The prisoner was found guilty, and in reply to the usual question, said:

"I will only say a few words, and I will be entirely responsible myself for them. I do not want my speech or remarks to injure any one else. With regard to the approver or informer, I will only say that what he has sworn is entirely false. It is very singular that one who drank in a room, four feet square, could not see him going out of it—very strange; so that you should not believe the words of any informer whatever, because they are not only informers, but liars and traitors, and are a disgrace to the

country in which they live. They would as soon act as liars and informers against any one else. With regard to what your lordship said about my going to America, I have to say I did not go there at the time stated in that paper of citizenship. I am over eighteen years out of this country, and came back to it over ten months. I love my country—I will not conceal it—ever since I was forced to leave it from oppression. Your laws would not allow me to live here, and I had to go to America. I saw a few scraps of the late trials. They were remarks made by the Attorney-General."

Mr. Justice Keogh—"We cannot allow this. You must confine yourself to the question; have you anything to say why sentence should not be passed on you?"

The Prisoner—"I wish you would allow me to say a few words. There is more truth in what I say than in what the informer said."

Mr. Justice Keogh—"You cannot serve yourself by the course you are about pursuing."

The Prisoner—"I will only say I love liberty. I see the people of this country are oppressed."

Mr. Justice Keogh—"We will not listen to any observations of that kind."

The Prisoner—"I will say no more then."

Their lordships then retired, and after the lapse of several minutes, returned into court. Mr. Justice Keogh passed sentence, penal servitude for seven years.

Prisoner—"I am very glad you got done. I don't expect to be long inside."

JOHN KINNEALY, who was tried at the Cork Commission, was found guilty on Tuesday, 2d January, 1866; sentenced to ten years' penal servitude. On being convicted, the prisoner said:

"My lord, it is scarcely necessary for me to say anything. I am sure, from the charge of your lordship, the jury could find no other verdict than has been found. The verdict against me has been found by the means by which political convictions have been always obtained in this country. As to the informer, Warner, I have only to say that directly or indirectly I never was in the same room with him, nor had he any means of knowing my political opinions. As to my connection with Mr. Luby, I am proud of that connection. I regret neither it nor anything else I have done politically or otherwise. (Murmurs of applause.)"

JAMES O'CONNOR, bookkeeper of the *Irish People*, was brought to trial on the 8th January, 1866, in Dublin. He was charged with conspiring to depose the Queen and to move foreigners to invade Ireland. The Solicitor-General undertook to show that he acted otherwise than as bookkeeper. He was found guilty, and, in reply to the clerk of the Crown, said:

When this proceeding commenced he had no intention of addressing any observations to the court on the act of his having been found guilty, which appeared to him very probable from the first. However, he wished to state, in reply to the question put to him by the Clerk of the Crown, that he thought his case had not been clearly proved, at least not to his own satisfaction; but that had nothing now to do with the matter. There was no doubt that the verdict of the jury hinged entirely on the documentary evidence. He saw that before he came forward for trial, in the letter which was written to him, and which he thought went strongly to induce the jury to find him guilty, was that one addressed to him by Morrissey. Now, it was not very easy, in those trials, for the prisoner to contradict most of the evidence given against him. He was not in Ireland at the time that letter was received in the *Irish People* office, and he never saw it till he saw it in the information made out against him. With regard to

the letter which he wrote to Daniel Connell, he considered that he was bound to reply to it. That letter had not been addressed to him, and in the absence of O'Donovan it was his duty to reply to any letters addressed to him. There was another letter on which his case rested to which he desired to refer. He did not remember seeing the letter which it was stated was written by Stephens to him. He had alluded to the fact that it was very difficult to contradict evidence in this case, or any other case, and he thought the Crown should always prove clearly the charges preferred against the person placed on his trial, and that it did not rest on the prisoner to disprove statements made against him. His lordship, in his charge to the jury, said that the handwriting had not been contradicted. That was impossible to do, because, in fact, every person who could disprove his handwriting was at that moment in prison. His lordship also stated that he was no stranger in Dublin, and that he could easily have got persons to do so, if he could disprove his handwriting. Now, he was, he might say, a stranger in Dublin, for although he had been born in this city, he had been out of it nearly all his life, so that it was impossible for him to get any person to give evidence to contradict that statement as to his handwriting. In reference to the same fact, he would apply himself to the evidence of Nagle, who managed always to swear what could not, by any possibility, be contradicted, and it was quite clear that he had studied his evidence very hard. Nagle said that the meeting at Phibsborough was a Fenian meeting, but it seemed to him (the prisoner) that it was not, because nothing about Fenianism was spoken at it. Every man he referred to was in jail, so that it would be impossible for him to get any person to prove an *alibi*. He wished to state that he considered the line of defence pursued by Mr. Butt was the best he could adopt, and, on the part of the Crown and that of his own counsel, he thought each did their duty. The Solicitor-General asked the jury what were they there for; and he himself, in the same breath, answered that they were there in the pursuit of truth. He hoped he would be allowed to concur in the statement that all these trials were carried on in the pursuit of truth, and he con-

ceived that there was one clear truth established in the course of these trials, and that was that Ireland was an unhappy country, but the cause of it he would not then stop to inquire into. He would not detain their lordships by making any further observation, for when the trial commenced he had no intention of addressing the court.

He was sentenced to penal servitude for seven years.

CHRISTOPHER MANUS O'KEEFFE was arrested on the 18th September, 1865. On the arrest of Luby there were found in his possession several letters purporting to be addressed to him by a person named O'Keeffe, and which were supposed to have been written by a member of the Fenian conspiracy. Mr. O'Keeffe did not belong to the Fenian organization, but wrote occasional articles for the *Irish People*. Although not in the Brotherhood, he was a man of national sentiments, and had been Irish correspondent of the *Boston Pilot*. Mr. O'Keeffe was brought to trial on the 11th January, 1866, and found guilty the next day. Alluding to the "violent and eccentric" letters brought against him, the *Nation* said: "Dublin *litterateurs* who know the man well are quite convinced that, beyond the writing of those curious letters, he had no connection with Fenianism. He put his own case remarkably well in his address to court previous to the passing of sentence. He had lived by his pen—he had to write for his bread—and this circumstance might naturally be supposed to influence, to some extent, the tone of his contributions to any particular journal. It should

not, however, be supposed from those remarks of his that he was ready to write any class of opinions on being paid for so doing. His feelings were with his country, he detested the misrule to which she is subjected, he hated the foreigners who are masters in this land, and he was incapable of writing or speaking in a contrary sense. He was a good Gaelic scholar, and his English style was terse and vigorous. There was, indeed, a vein of genius in the man, and it cropped out in his address to the court. He was sentenced to ten years of penal servitude."

CORNELIUS O'MAHONY was brought to trial on the 12th January in Dublin. It was continued the next day. The jury disagreed and was discharged at midnight; whereupon the Crown prosecutors gave notice that they would bring the prisoner to a second trial on Monday morning. Mr. Butt, astonished, said, "Do you mean the prisoner O'Mahony?"

Mr. Barry—"Yes. We are determined to put him on trial again on Monday morning."

Mr. Butt—"That is very hard."

Accordingly, on Monday, the 15th, Mr. O'Mahony was again put on his trial. He was found guilty, and in reply to the formal question, said he had merely to say, he was convicted on insufficient evidence.

Mr. Sidney, Q. C., asked their lordships to respite sentence until the decision of the question as to the discharge of the jury on Saturday night last. That question was pending in the case of Charlotte Winsor, in England.

Mr. Justice Keogh said they could not accede to the application, and then passed sentence of five years' penal servitude.

CORNELIUS DWYER KEANE, who had been liberated on bail, was brought up a second time, tried 17th January, 1866, and found guilty of having engaged in the Fenian conspiracy. Mr. Keane was a native of Skibbereen, and it was charged that he was intimately acquainted with O'Donovan (Rossa), that he told Stephens he had himself sworn in four hundred Fenians in the neighborhood of Clonakilty, and attempted to swear in two others. Nagle, the informer, certified to Keane's having attended Fenian meetings at Philsborough road, Buckingham street, and Great Brunswick street. Previous to the sentence Mr. Keane said:

"I did not intend, up to last night, having myself defended by counsel at all, for I did not believe there was justice to be had for any prisoner charged as I was in this country. I was fully convinced of that after the Cork trials; for not alone are the prisoner's own acts brought against him, but the acts of others, of which he was not even cognizant. Moreover, the judges, instead of being, as they ought to be, impartial between the Crown and the prisoner, are more the advocates for the Crown than impartial judges of the case. A letter has been put in evidence against me from Mr. J. O'Donovan (Rossa). He was a fellow-townsmen of mine, and I am proud of his acquaintance. The name of Stephens has been mentioned. I beg to say I have always boasted, and will continue to boast to the last hour of my life, of being honored with Mr. Stephen's acquaintance and friendship. I do not believe I have been guilty of anything I should be ashamed of. As an Irishman, I was bound to join in a combination which was banded

together for the good of Ireland—not for assassination or plunder, as has been falsely asserted. The statement of the witness as to shooting was entirely false. I never said I intended to shoot anybody, and it was fastened on me by the Solicitor-General at the instigation of Mr. Barry. The Solicitor-General would not have stated it but that Mr. Barry prompted him to do so.”

The Solicitor-General—“That is not true.”

Prisoner—“I saw Mr. Barry talking privately, making some suggestion to you, and you then alluded to that matter, which, as I have said, was entirely and purely false. Now, my lord, I have only one request to make, and that is, that you will not give me any advice or lecture, as you have done to the other prisoners. I ask you simply to pass sentence on me, and give me nothing in the shape of advice or lecture, for I assure you it would be lost upon me.”

Mr. Justice Fitzgerald fully agreed with the verdict, and thought the prisoner not only hardened, but beyond the effect of mercy, for he was no sooner liberated on bail in Cork, than he forthwith went to Dublin and attended treasonable meetings there. “You appear,” said he, “to be hardened and determined to persevere in this criminal course.”

Prisoner—“Most decidedly.”

Mr. Justice Fitzgerald—“It is useless to address any advice to you. I shall, therefore, at once pronounce the sentence of the Court, which is, that you be kept in penal servitude for ten years.”

MARTIN HANLY CAREY was brought to trial on the 18th January, 1866, and was found guilty with a strong recommendation to mercy. In response to the usual question, he entered on explanations as to whether a man was a Catholic or a Protestant, when Mr. Butt suggested he had better not say any more.

The Prisoner—“I must justify myself about my religion. It has been introduced into these trials upon some occasions. Ever since the first trial, the counsel for the prosecution”—

Mr. Justice Keogh—“I do not see what you have to do with other trials.”

The Prisoner—“Do not think I entertain any disrespect to the Court. Certainly I could have pleaded guilty if I wished, and got off with two years’ imprisonment; but I like my freedom, and really the inducement that has been brought to bear.”

Mr. Justice Keogh—“I cannot allow that.”

The Attorney-General—“I feel bound to say that there is not a particle of foundation for that.”

The Prisoner—“It is not about any one belonging to the Crown I speak. It is connected with the press. In the *Freeman's Journal* the prisoners are described as honorable men, which they are, though poor, and it describes them as men bartering with the Crown for their own purposes.”

Mr. Justice Keogh—“I will not hear observations no way connected with the question.”

The Prisoner—“All I can say is if I outlive the sentence of the Court I will act my part as a man, independent of the anathemas or denunciations of any bishop or priest.”

He was sentenced to five years’ penal servitude.

DANIEL O’CONNELL, a native of Toomavara, County Tipperary, was tried at the Special Commission, Dublin, January 23d, 1866.

The principal evidence offered against him was his having written, under the signature of “A Spiritual Enlightener,” a letter to the *Irish People*, in which he said that he believed it to be necessary that Irishmen should bind themselves to fight for the independence of their country. He had also written to O’Donovan (Rossa), inquiring how he could procure some works on military drill, and the best medium through which to obtain an Enfield rifle and a Colt’s

revolver. When arrested a drill-book was found on his person; and a pass-book, containing the names of a number of men, with ciphers appended to each name, was found in his desk. He was found guilty and sentenced to two years' imprisonment with hard labor.

WILLIAM FRANCIS ROANTREE was brought to trial, in Dublin, for treason-felony on the 23d January, 1866, and was found guilty on the next day. On being asked had he anything to say why sentence should not be passed, he replied:

"I did not think it possible that any jury could bring in against me a verdict of guilty; guilty of conspiring, when it must have been clear to every unprejudiced man that it was the Crown conspired. After an absence of seven years, I returned home from America. I was set upon by one of the Crown officials, and I was publicly denounced by one of its preachers as an infidel. I wish it to be known, and generally known, that no matter who or what he is, no one can hope to live in Ireland except he be a Schofield or a Nagle. I was set upon, as I have said; every word of mine was misinterpreted and distorted in the hope of finding some excuse for my arrest. Finding none, Nagle was set upon me, and I was arrested upon his information. I am now, after four or five months' close imprisonment, asked, after a few little preliminaries, what I have to say why sentence should not be passed upon me. Would any word of mine avail me now? I am your prisoner, powerless, for the present, to do anything more than appeal, as an American citizen, against your sentence, not to any pro-English-American Consul, but to the great American people. I have, as an Irishman, done my duty to my country, but my only regret is that I have not it in my power to do a great deal more. There is one thing more I would like to dwell upon—namely, the insane document referred to by Judge Keogh. It was Nagle handed me that document and said to me, 'What do

you think of it?" How was it possible I could get such a document as that from any of the convicts in Mountjoy? As an Irishman, I appeal against your sentence to the Irish people, and I pray that the God of Justice and Vengeance may guide and strengthen them in their holy determination."

The prisoner was then sentenced to penal servitude for ten years.

PATRICK HEYBURN was next tried, on 24th January, 1866, at Dublin. The Solicitor-General stated the case against him, and laying great stress on the evidence which he would produce of arms found in the prisoner's shop, and also a letter to Major-General Thomas F. Meagher, which was very patriotic in sentiment and concluded with this toast:

"To the memory of General Michael Corcoran, one of the noblest and best of men, whether considered as an Irishman or as an American;" and may we all bear a part in fulfilling, under the dauntless Meagher, the two dearest hopes of our heart—the restoration of the American Union and the liberation of Ireland—I am, sir, your obedient servant,

"PATRICK JOHN HEYBURN,
"Emmet Guard, Fenian Brotherhood."

Mr. Heyburn was found guilty, and Judge Keogh urged him to be silent, or if he should speak, "not to make an exhibition of himself."

The Prisoner—"I will not, my lord."

Mr. Justice Keogh—"I give you that advice with very anxious motives, and perhaps it would be better to leave the case to the end in the hands of your counsel."

Mr. Sidney and Mr. Lawless entreated the prisoner to say nothing.

The Prisoner—"I must say a few words, my lord."

Mr. Justice Keogh—"Then you must confine yourself directly to say in matter of law why sentence should not be passed upon you."

The Prisoner—"I wish to say a few words only; I cannot but return thanks to the able counsel, because I believe there are no honest men or abler counsel at the Irish bar who could say anything in my favor. They have argued ably in my defence, and I can say nothing about them. I have had a very fair trial. I had honest men on my jury, I believe that, for I know men on the jury myself, and I could lay my life in their hands. I had not intended to say anything at all in my behalf until yesterday. I never believed I would have been found guilty. I never believed I would until the ruled paper was brought against me. If I was standing before God I would say that ruled form was never in my possession. If I was on the scaffold, with the rope round my neck, I would say that ruled form was never in my possession. I had nothing to do with it. There was nothing in the evidence to find me guilty until that ruled form was produced. When that ruled form was brought in it found me guilty, and no other way. Indeed, by law of England, I know that the crime entails upon me a severe penalty. The history of Ireland"—

Mr. Justice Keogh—"I will not hear a word about the history of Ireland. I proceed to announce to you the sentence of the Court, because, my delaying any longer would only allow you to place yourself in a very false position."

The Prisoner—"I wish you to pass penal servitude upon me. Do not give me two years imprisonment, for I would suffer more if I got two years in that prison than if I got penal servitude."

Mr. Justice Keogh then passed sentence—that he be imprisoned and kept to hard labor for two years from the date of his committal.

The Prisoner—"I will have the same principles, my lord, afterwards."

JAMES FLOOD was tried in Dublin on a charge of treason-felony, on Saturday, 27th January, 1866. He was arrested while casting bullets, and "treasonable documents" were found in his possession. He was found guilty, and in reply to the clerk's question, said:

"My lord, I came from England only a few days before my arrest, and the pamphlets were handed to me in the street. I called to this place where I was arrested to see young O'Neill, as I knew him before I went to England. I don't know anything about the Fenian Brotherhood. Of course, however, according to British law, I must be found guilty."

He was sentenced to five years' penal servitude.

HUGH FRANCIS BROPHY, who was captured in Stephen's house, was brought to trial in Dublin on the 29th January, 1866. He was accused with being one of the most trusted workers in the conspiracy, and a number of letters were brought against him, as well as his intimacy with the leaders, and of his being present at Mullingar when an attack was made on a detective (Smollen). Mr. Butt made a very eloquent address in his defense, and Judge Keogh advised the jury that they should not allow the brilliant effort to awake their compassion, or influence their verdict. Mr. Brophy was found guilty; and in reply to the usual question, said:

"I only wish to make a few remarks in reference to something that passed during the trial. The detective Smollen made a statement—a very serious one if it were true—against my character for manliness. To those who know me, there would not be any

necessity to reply to that; but as there are a great many who do not know me, I wish to tell how it occurred. I met Mr. Roan-tree on the race-course at Mullingar, and I may have pointed out to him, or he may have pointed out Smollen to me. In the evening, as we were coming towards the train, there were two men met me—one a very young friend of mine, and another man. Before I had time to know who they were, one of them struck Smollen, who was then with his back to the wall, and they in front of him, though he stated he was struck from behind. I was beside the platform at the time, and as he was against the wall they could not have got behind him. I did not interfere in the row at all. Smollen then came forward, struck two or three men with a large stick he held in his hand, when the young lad, my friend, ran over and struck him with a small stick. I laughed at the idea of his striking with a small bit of a stick a man who drew a large stick with a knob on it. When I saw that, I pushed the crowd out of the way, seized Smollen, and tried to take the stick from him. In the tussle we both came to the ground, and two or three of his friends then took him away. That was the end of it. As to Carty, I never heard the words which Smollen swore to here. I did not leave the platform at all. Dawson says he saw me a couple of times a week going to the *Irish People* office; that, too, is not correct. I certainly went very frequently there, but he swore that for four months before the seizure of the paper he had not seen me there, while, when before Mr. Stronge, he swore he saw me there about two months before. That was a great contradiction. I lived in Constitution-hill; was building at Frankfort avenue, and I had therefore to pass through Parliament street, and in that way the mistake must have occurred. Dawson said he had not taken notes of the times he saw me passing, so that he was only guessing when he said he saw me going into the office a couple of times a week. Then, again, as to those books, with the revolvers, they were found on the chimney piece in the room, and not in a drawer; so that the police made a mistake in that also. As to the getting up of the paper, of course I had to do with that, and I was chairman of the committee meeting; but I do not see what that has to do with levying war against the Queen. When

I assisted in getting up the paper, I did not see that it had anything to do with the levying of war against her. I always assisted in everything got up for a national purpose. As to that letter where the 6th of June is mentioned, in charging the jury, you said it referred to my going to Mullingar on the Sunday following. I was for a fortnight before that in Mullingar fishing, so that it could not be me that was mentioned in it, and if so, there could be no agreement about my going there. As to O'Leary, he was a workman of mine, but he had a different name when he was with me. When he was arrested, Murphy was the name he went by. As a workman, I thought it my duty to look after his defence. I spoke even to Mr. Curran about getting bail for him, and he told me it was not the slightest use. I mentioned that to my counsel, and I thought evidence might be given of it. I had not the least doubt of what the verdict would be when I heard your charge to the jury; there could not be a particle of doubt what it would be after your charge. In fact you never advanced a single argument in my favor, and from what has transpired in these trials, from the first of them down to the present time, I must confess, as far as the people are concerned, I feel proud of them."

Mr. Justice Keogh—"We cannot hear more of this."

Their lordships then retired to confer together, and on the return of Mr. Brophy corrected some misstatements; and Judge Keogh took the occasion to remark: "You say you are proud of the men who were brought to trial here. What is that but rejoicing?"

Prisoner—"I meant the people, my lord—the people outside."

He was then sentenced to ten years' penal servitude.

PATRICK DORAN was tried, with Thomas Francis Burke, for participation in the insurrectionary movements in the County Dublin in March. He was found guilty, and in reply to the question of the Lord Chief

Justice, "has the the prisoner, Doran, anything to say?—replied:

"My lords, I have not got much to say. Of course, I could not follow the same strain of eloquence that my countryman and fellow-patriot expressed himself in. But I, also, am consigned to an early grave—cut off in the vigor of manhood by falsehoods sworn here—false as God is true. In relation to Sheridan, he sat there with a smile on his countenance, and swore that I commanded the riflemen, or in other words, acted as aid-de-camp to the conspirators who were under Lenning—whoever Lenning is; I do not know. He also stated that I demanded the surrender of the barrack at Glencullen in the name of the Irish Republic. [Here the prisoner looked around court.] There are men, who are present, who could give another account of that; but they were not called on that table to prove my innocence. I never spoke to him, good or bad, that night—never said one word to him, or to any of them—I was not there at all. My meeting with Meares was merely an accident. He is a man I never saw or knew before. But I forgive them, as I hope God will forgive me. I have to say no more. I return my heartfelt thanks to my eloquent counsel, who so ably defended me, and also to my solicitor, Mr. Lawless. That is all I have to say."

He received the same sentence as Colonel Burke.

MARTIN A. O'BRENNAN was arrested on the morning of Thursday, 12th October, 1865, at Tuam, and immediately conveyed by constabulary to Dublin. On the next day he was brought before Mr. Stronge, at the Lower Castle Yard. It was charged that on the 30th September previous, in a newspaper, entitled the *Connaught Patriot and General Advertiser*, of which O'Brennan was sole conductor and publisher, there was, among other seditious articles, one in which

it was said "let the American Fenians return," and that such was treasonable and intended to stir up foreigners to invade Ireland and "separate it from the United Kingdom." The Crown prosecutor read from an article headed "Alleged Fenianism in the Army," in which Mr. O'Brennan, commenting on the telegram announcing the arrest of a Sergeant-major and a soldier in Cork for Fenianism, said:

"It is rumored, that Fenianism has extended itself widely amongst the soldiers of the line, the Constabulary, and Militia—that they understand the nature of their oath of allegiance to defend; but not an oath to consent to the permanent oppression of their plundered nation—that their oath binds them to a just monarch and a just government; but that if the latter violate allegiance to the people—that the military and people are no longer under allegiance.—Ed. C. P."

The Crown counsel thought a more mischievous piece of treason could scarcely be circulated, as it intending to convey to the minds of the people that Fenianism had widely extended amongst the soldiers and militia.

The prisoner's counsel requested the magistrate to accept bail, which was declined.

Mr. O'Brennan—"It is my duty to assist the learned counsel in this matter, that it may appear that an aggression is made upon my liberty by the Crown. Here is an article, no matter who wrote it, and the charge is laid at my door by the Crown: 'We should not, if free to-morrow, aggress the rights and liberties of any neighboring nation, and we feel we have a right to this old land'—(so did the Williamites in 1688)—and to legislate

for and to rule it.' Not seeking to subvert the power of the Queen or of the English government, but saying that which the Conservatives are quietly allowed to do—to subvert Whig neglect, and to establish a rightful rule in Ireland——”

Mr. Curran—I think it would be a great deal better now, Mr. O'Brennan, if you would just sit down and say no more.

Mr. O'Brennan—“I am subject to you, sir; but I must protest, when I find the Crown acting with so much virulence as to take me from my large family of nine or ten, and stick me up into no better than a water closet last night, and keep me from three o'clock yesterday morning, to half-past nine o'clock this morning, without any refreshment. It would well become the Crown to say—how is this man treated; or why should such an aggression be made upon the right of the subject as has been made upon me. If it occurred elsewhere the Attorney General or Crown Solicitor would be the first to denounce it as barbarous and savage, and a portion of the tyranny that has been carried out in other countries; but here when it is exercised upon a subject of her Majesty, there is not one word at all against it.”

The magistrate committed the prisoner for treason-felony and thought it did not become him to answer the statements made by the latter, who was then removed to Richmond Bridewell.

Mr. O'Brennan was tried at the Commission, and liberated November, 1865, on his own recognizance, but towards the close of March, 1866, after the suspension of the *Habeas Corpus* he was again arrested at the railway station in the town of Claremorris, on a charge of seditious language, and thrown into the county jail of Mayo. He was subsequently released, and came to America, where he arrived in October, 1867.

SWORD AND PEN.

Captain J. A. Geary—In the War—Starts a Circle in Lexington—Goes to Ireland—His Wit Saves Him from Arrest in Dublin—Shoots a Head Constable who Attempts to Arrest Him in Limerick—Sheltered by the Priests—Arrives in New York—At Ridgeway. Captain Jas. Murphy—In the War—Goes to Ireland—Arrested—Released—Re-Arrested—False Imprisonment—Comes Back to America. Arrested. John K. Casey (“Leo”)—Arrested—Opinion on his Poetry. John Locke (“The Southern Gael”)—His Talents and Nationality—Arrested—The “Council of Ten” Arrested—Names of the Members. Arthur Forrester. General Fialola—List of School-Masters Active Fenians.

CAPTAIN JOHN A. GEARY.—Educated, brave, cool and decisive in time of danger, Captain Geary is a true type of the band of Irish officers whom the Fenian Brotherhood will ever remember with pride. Born in the County Limerick about the year 1842, he came to this country with his family, while yet a boy, and settled in Kentucky. On the breaking out of the war he enlisted as a private soldier, and, by his bravery and good conduct, attained the rank of Captain long before hostilities ceased. At the conclusion of the great American conflict, his first thought was to give his military experience to aid the liberating movement in the land of his birth. Through his exertions a fine Circle of the Fenian Brotherhood was formed in Lexington, Ky., and, under his direction, it became

one of the most efficient in the organization. He made early application to be placed on the roll for active military service; and, when called upon, he promptly reported in New York, fully prepared for duty, without the expense of a dollar to the general Organization. He went to Ireland, and, on his arrival, was assigned to duty in Limerick. A short time previous to the "Habeas Corpus Suspension Act," in February, 1866, he was ordered to Dublin. When the Government *coup d'etat*, took place on the 17th of that month, several of the Irish-Americans were at once arrested in their lodgings. Luckily for Captain Geary, he had left his lodgings early that morning. During his absence three of his fellow-officers, who stayed at the same house, were arrested; on being informed of which the Captain determined to go southward by the evening train. Arriving at the railroad depot, he found several policemen and detectives on the lookout for "suspects." This brought the quick wit of our hero into play. Touching, with his foot, a large trunk lying on the platform, he authoritatively inquired for its owner; that individual appearing, he was ordered to open the trunk at once, and the assumed detective occupied himself busily examining its contents until the train was just starting, when, having expressed himself satisfied that it contained nothing "contraband," he coolly stepped on board the train, as if for the purpose of watching or examining parties thereon, and was carried off from under the very noses of her Majesty's *vigilant* detectives.

The second day following found him in the streets of Newcastle, County Limerick, where a rencontre occurred, in which Geary's decisive, soldierly traits were well illustrated. A six-foot sergeant of police, named Sullivan, observing our hero alone in the vicinity of the barrack, thought it a favorable opportunity to distinguish and recommend himself for the long-coveted Sub-Inspectorship, by capturing single-handed one of those detested "propagandists of American ideas." Confidently walking up to the Captain, he claimed him as the Queen's prisoner; but this was a slight miscalculation. Geary had gone to Ireland prepared for such little contingencies. He did not think an Irish-American officer, who had faced death on so many bloody fields, should be captured in the streets of his native town by a solitary "peeler;" the combined honor of Limerick and old Kentucky forbade it; so, drawing his revolver, he, not caring to kill the fellow, sent a bullet through the shoulder of the aspiring sergeant. The first shot not disabling him, another near the same spot levelled him, and then, after a single glance in the direction of the barrack, the Captain made for the neighboring mountains. The effect of Captain Geary's lesson was, that the police always went in squads when attempting the capture of a Fenian officer, especially if he wore "square-toed boots."

On arriving in the mountains, Captain Geary received temporary shelter in a turf stack, provisions being conveyed to him at night. After the lapse of a few days, he was provided with more comfortable

quarters in the house of one of those patriotic Irish priests who form the great majority of the clergy of the people; the acts and assertions of the "Queen's Ecclesiastics" on the one hand, and flippant, ignorant, self-proclaimed atheistical freethinkers on the other, to the contrary notwithstanding. In Captain Geary's case the character of the true Irish priesthood was nobly sustained. For, knowing his history, and honoring the bravery and humanity displayed in the action which caused him to be proclaimed an outlaw with a price on his head, he was, for the six weeks during which he remained in Ireland after the event, sheltered exclusively by members of their order. He attended a funeral in their company in the guise of a priest, and finally left Ireland as a youthful missionary, being accompanied by several of his clerical friends on board the ship, who left him with fervent prayers for his safety. The pistols, which stood him in such good need, he left in charge of a priest until the time arrives for again using them in the good old cause of liberty and fatherland.

Captain Geary arrived safely in New York in the latter part of April, when he at once reported to John O'Mahony. Some members of the Canadian party, then maturing their plans for the raid across the frontier, meeting the Captain, offered him a Colonel's command in the expedition. Not wishing to identify himself with that party, he declined the proffered honor; but, on relating the occurrence "he expressed," says an informant, "the intention of taking part in the movement should it be actually made; as, well

knowing from recent experience, that a successful rising in Ireland was impossible for some time, he was willing to devote part of the interim in striking a blow at the upholders of the 'Felon Flag' whenever an opportunity offered." Acting on this resolution, he was present at the battle of Ridgeway, was among the officers captured with O'Neill by the United States authorities, and now hopefully looks forward to the uplifting of the green banner on the old soil.

CAPTAIN JAMES MURPHY came to this country when a boy, and after a time he enlisted in the United States army, in which he served his full term, and was discharged. On the breaking out of the war, he re-enlisted in the 20th Massachusetts Volunteers, and fought his way up from the ranks to a captaincy. He was wounded at the battle of Chancellorsville, and placed in the Veteran Reserve Corps, from which he resigned at the close of the war. In the fall of 1865 he visited Ireland for the purpose of recruiting his shattered health, was arrested in Dublin at the time the *Irish People* was seized, but claiming his American citizenship, he was released after a week's imprisonment.

The authorities claimed that Murphy "continued to engage actively in promoting the interests of the organization—going down frequently to Athlone, Mullingar and elsewhere throughout the country, for the purpose of swearing in members and otherwise forwarding the movement."

He was consequently arrested again on the suspen-

sion of the Habeas Corpus Act, and shortly afterwards was sought to be made the victim of a villainous conspiracy. He was charged with being a deserter from the British army, removed to a military prison and there subjected to atrocious tyranny.

At his trial by court-martial suborned perjurers swore to his identity, but the real deserter appearing as evidence in his favor, and his certificates of military service in the United States army having been produced, he was acquitted. On his discharge, however, he was immediately rearrested by the detectives (who were on hand for that purpose) and conveyed to Mountjoy prison, where he remained until the 23d December, 1866, when, after an incarceration of eleven months, he was liberated. Captain Murphy brought an action for false imprisonment against his military persecutors, but they got the trial postponed, and he arrived in America 5th January, 1867, to demand the protection of the American Government while prosecuting his claim before the law courts in Ireland, to which country he intends returning as soon as he can be assured of this protection.

JOHN K. CASEY, known as a young writer of fine promise by his contributions to the national press, with the signature of "Leo," has an additional claim on the affections of his countrymen from the persecution his talents have brought upon him. He was arrested on the 13th March, 1867, at Castlereagh, and lodged in the County Jail of Roscommon. Mr. Casey is the author of a volume of national poetry, entitled

"A Wreath of Shamrocks, Ballads, Songs and Legends" published in Dublin, which was received by the critics and public with merited favor. It is no small testimony to the young writer that his talents overshadow his politics in the eyes of English critics, while the Irish journals admire and indorse both his music and his nationality. The *London Review* thinks it not an "unpleasant" book "for all its taint of treason."

"And here," continues the *Review*, "we might remark, accepting the 'Wreath of Shamrocks' as the representative of the opposite side to 'Orangeism,' that where the latter is rabid, stupid, and nonsensical, as exemplified in the poet Young, in the former treason is put in a fascinating, tolerant and intelligible shape, which would by an outsider render it incomparably preferable to the loyalty of Orangemen. Of course, the Saxon comes in for it, but no Saxon could feel over-vexed at being railed at so eloquently in his own language, and in a manner which demonstrates that the gentleman indulging in it must have been a sound student of the authors whose countrymen he curses as Kehama cursed."

The *Nation* truthfully says of these ballads and songs: "Always true to the national sentiment, reflecting a genuine spirit of patriotism, inspired by the tender and heroic memories of Irish history, and by that glowing hope which no misfortunes or reverses have been able to extinguish in the Irish heart, musical in their flow, clear and graceful in their expression, those ballads, songs, and legends will be a source

of real pleasure to all who feel how deeply the national spirit of this country is indebted for its sustenance and intensity to the popular national poetry."

JOHN LOCKE was born in the ancient little town of Callan, County Kilkenny, about nineteen years ago, of humble parents, who gave their son as good an education as the village school afforded. He was a great favorite with his schoolmates, on account of his innate kindness of heart; and his attention to his studies and natural smartness made him a great favorite with his teacher. After some time he was appointed to the office of National School Assistant; but although he had a Government situation, he could not resist the appeals of nationality. When his day's work was done he met the "malcontents of Bridge street," among whom were Dunne, the nailer, "of parliamentary renown," Edward Coyne, James Cody and others. Young Locke was an early riser, and his mornings before school hours were devoted to the muses. A great lover of the beauties of nature, he has interwoven in his songs the impressions made on him by the surrounding localities. Our young poet found inspiration in the scenery by which he was surrounded—in the traditions associated with them in the history of his country—in the miseries of the people. He entered with enthusiasm into the doctrines of the *Irish People*, and became a contributor to that journal. On its seizure he wrote for the *Irishman*, under the *nom de plume* of "The Southern Gael," and subsequently was arrested and sent to jail.

Early in 1867, a so-called "Council of Ten" were captured in Camden street, Dublin. Their names were given as follows: Henry Hughes, Francis Hollywood: he had a six-barrelled revolver in his possession, was said to be a prominent Fenian, and one of "Hughes' captains." Joseph O'Hara, he had two formidable looking revolvers in his possession—one with nine chambers—and both loaded and capped. John Walsh, reported to be "high in the organization, doing the duty of emissary in communication between districts and circles." Owen Martin, another "B." James Martin; also "B." Thomas Cullen, John Lawless, a prominent member. Arthur Forester, a book-keeper, whose career was "pretty well known to the police." He was a sub-centre for the Manchester district, and had been extensively employed in the Organization. He was one of the contributors to the *Irish People*, under the name of "William Tell" and "Angus," and was in Dublin in 1865, under the name of Thomas Brown. He fled before the *Habeas Corpus* act was suspended. He went to Chester in command of the Manchester men during the demonstration there, and then crossed over to Dublin—also in charge of them—where they were arrested on the 16th February. After being a short time in custody he was released on account of his youth, and permitted to go at large. "It was," says the report, "this young fellow who offered the desperate resistance, and tried to shoot the officer who was struggling with him, and two constables were obliged to knock him down and wring his revolver from him. When disarmed he said

that all he regretted was that he did not shoot the officer—that he did not care which of the two went to hell or heaven, but that either should. This prisoner was also known to the police as a companion of Baines in tampering with the allegiance of soldiers, particularly those of the 30th regiment.”

GENERAL FARIOLA was arrested in the Summer of 1867. On being brought up for the second time, July 29th, before the police magistrates, at the Lower Castle Yard, Dublin, the prisoner was given a seat, as he suffered considerable pain from a bayonet wound in his left leg. He said he was not in a condition to procure legal aid. Informations were read, one from the wretched Massey, who deposed that General Octave Louis Fariola came to Ireland to take part in the rising, and that he was introduced to him in London by General Cluseret, who said he was to be chief of staff. Witness was the deputy of General Cluseret, under whom the rising on the 5th of March was to be made.

Other informations having been read, the prisoner was asked whether he had anything to say in defense. He replied, “I cannot say anything on such meagre evidence as has been produced against me. There is no evidence to show that I was one of the conspirators. I therefore have nothing to say, and I think I should be discharged.” Col. Lake said, “The magistrates are of opinion that your complicity with a revolutionary movement has been established so far as to

make it imperative on them to commit you for trial.” He was then formally committed.

NATIONAL SCHOOLMASTERS AND FENIANISM.—By a return to an order of the House of Commons, dated the 8th of March, 1866, of “all schoolmasters arrested in Ireland for Ribbonism, sedition, or Fenianism, from the 1st of January, 1860, to the latest date ascertainable,” we learn that the total number of such arrests was thirty-four. Of these thirty-one were charged with Fenianism, two with Ribbonism, and one with sedition; and the entire thirty-four appear under the description of national school teachers. Their names and the schools to which they were attached are given thus: Thomas Doherty Brougham, Tipperary; Michael Hyland, Galway; Daniel Darragh, Ballycastle, Antrim; Patrick Mulligan, Manooney, Armagh; James Cheevers, Glynn, Carlow; Thomas Duggan, Ballincollig, Cork, E.; Jeremiah Gleeson, Knocknagowna, Cork, E.; Cornelius Sullivan, Blarney Village, Cork, E.; William Conway, Passage, W., Cork, E.; James Leary, Carrigtoohill, Cork, E.; Michael Cronin, Rosnacahara, Cork, W.; James Lehane, Lisheen, Cork, W.; Deelan Monsell, Skull, Cork, W.; Bartholomew Brien, Cooscroone, Cork, W.; Patrick Murphy, Cahergariffe, Cork, W.; Patrick O'Donnell, Arramore Island, Donegal; John Magee, Dromore, Down; Daniel Kelliher, Killarney, Kerry; James O'Callaghan, Ballyhane, Kilkenny; Arthur Goff, Leitrim, Leitrim; Wm. Wall, Kilmallock, Limerick; William Abitt, Phillipstown, Louth; Henry M. Cur-

ry, Belcarra, Mayo; John Duffy, Lisaniska, Mayo; James Hyland, Croes, Mayo; John Flanagan, Balnabarna, Meath; Edward Roche, Tedoo, Monaghan; Patrick Erien, Tubercurry, Sligo; Michael Cleary, Clerihan, Tipperary, S.; John Dwyer, Tipperary, Tipperary, S.; Patrick M'Guinness, Crowenstown, Westmeath; John O'Toole, Coolquarry, Wexford; Hugh Byrne, Kingstown.

DARING ESCAPES.

John Kirwan—In Papal Brigade—An Active Fenian Centre—Wounded at Tal-luagh—Arrested—Placed in the Meath Hospital—His Escape from it. Colonel Leonard Takes Part in the Drogheda Rising—Mysterious Appearance in a House, and Escape from it—Arrest of Colonel T. J. Kelly and Captain Dacey in Manchester—Remanded—Crowds in Court—Driven off in the Prison Van Handcuffed and Guarded by Police—The Police and Mob Defeated—The Van Broken Open and the Prisoners Released. Wild Excitement. Captain Dacey. Captain Lawrence O'Brien—Goes to Ireland—Arrested—Committed for Trial—Bold and Mysterious Escape from Clonmel Jail.

ALLUSION has already been made to the escape of Stephens from Richmond jail, and the daring attempt of Noonan to escape from his captors. There are other instances of adroitness, enterprise and daring which distinguish the pursuit of Fenianism under difficulties, and which call for honorable mention. The successful adventure of Stephens has been eclipsed by those which followed.

JOHN KIRWAN, a Dublin "Centre," became widely known by his "mysterious" escape from the hands of the enemy. Mr. Kirwan had been in the Dublin police, and left it to join the Papal Brigade, in which he served, like many others who have become able Fenian propagandists, with honor. On his return he

obtained a mercantile situation in Dublin, and soon after he was appointed, through much local influence, to the position of turnkey in the Four Courts Debtors' Prison. Subsequently he left the prison, and was appointed ranger by the Grand Canal Company. In September, 1865, orders were given for his arrest, but he contrived to keep out of the way, and, up to April, 1867, to evade his pursuers, although it was well known that he was taking a most active part in the Fenian organization.

He took a prominent part in the rising of March, and received a severe wound in the rencontre in the neighborhood of Tallaght. He was arrested on the 6th April in a house in Bihshop street, and was taken before Dr. Carte, who committed him for trial on a charge of high treason. When brought before the magistrates it was stated "that the prisoner was one of the persons who made an attack on the Stepside constabulary station on the night of Shrove Tuesday. This statement was, to a great extent, corroborated by the fact that he was badly wounded in the breast by a rifle bullet which had passed through him to the clavicle, which it fractured." His wife was in attendance, and as she was in a delicate condition, and as her husband was in a dying state, she begged the magistrate to have the latter sent to one of the hospitals of the city where he would receive proper medical treatment.

As Mr. Kirwan's character stood very high in the estimation of influential persons, his wife's request was complied with, and instead of being sent to the

prison infirmary, he was ordered to the Meath Hospital, where every attention was shown to him. Kirwan was well known to be a most determined and daring man. He had, on two previous occasions, effected his escape, and the authorities gave special directions that he should be most closely watched, and two policemen were appointed to guard him night and day.

His health was exceedingly feeble; but the authorities now declare that this was a pretense. On Tuesday evening, the 9th April, about half-past seven o'clock, the police constable, in charge of the prisoner, left him for a short time to get a draught in the apothecary's room. The policeman was absent about seven minutes, and on his return found that the prisoner had escaped. The room in which Kirwan was confined is situated in the corridor of the accident ward, and when the constable left, the invalid made a dash for his life, and saved it. How he got out is one of the "mysteries." He left with nothing on but his shirt and drawers. It is thought that he made his way into Long Lane or Camden Row, where there were confederates to assist him. As soon as his escape was made known, of course there was perplexing excitement. Kirwan, however, made his way to America, and has taken up his residence in New York.

The escape in July, 1867, of the Fenian Colonel Leonard, who participated in the insurrectionary movement in Drogheda in the March previous, created a great deal of excitement in that town. The circumstan-

ces were as follows: A respectable professional gentleman—to his astonishment—discovered a person in the upper part of his house, with heavy beard and an appearance altogether resembling Colonel Leonard. On the gentleman's approach, the stranger fled down stairs towards the kitchen, and on his passage thereto was observed by two other gentlemen, friends of the proprietor of the house, who also had an opportunity of recognizing him, as his photograph had been exhibited since March in all the stationers' windows of the town. The owner of the house sent for a policeman, who happened to be on beat near the house, Sub-constable Gannon. On the arrival of the latter, and having learned the particulars, he was about proceeding to the kitchen to arrest the fugitive, but was strongly recommended not to do so alone, but provide more men, as, if he went by himself, he would certainly be shot, for the other party was no doubt armed with a revolver. Gannon, who was a man over six feet in height, and of resolute courage, declined to give the stranger a chance to escape, and determined upon arresting him himself. He accordingly proceeded to the kitchen, but lo! the prisoner had fled by the back door into the garden; and now comes perhaps the most mysterious affair. A door near the centre of the garden, which leads out to the street, and which had not been for a long period of time used for passing in or out, was found opened, and the stranger gone. How the fugitive had provided himself with a key was and is a "perplexing mystery." Several houses in the town, on which suspicion rested, were since

searched, without a successful result. Few incidents connected with Fenianism created more gossip in Drogheda.

On the 19th September, one of the best planned and most ably executed deeds was accomplished in Manchester, the great centre of English manufacturing industry. On the 17th, two days previous, the police, more by accident than intention, fell in with and captured Colonel Thomas J. Kelly and Captain Dacey in that city. The American accent, the revolvers found on the prisoners, their anxiety to use them, all combined to persuade the Manchester constables that they had caught—perhaps—a Fenian leader. The thought struck them that one of them might be Colonel Kelly. The informer, Corydon, was immediately needed to identify him; but, although that blood-hound had been in Liverpool striving to scent Kelly, he could not be found. This caused delay, so that when the prisoners were brought up a second time for examination, a further remand was necessary—waiting Corydon and a warrant from the Lord Lieutenant of Ireland. The following account, which exhibits the fearful excitement of the occasion, and the ability by which the affair was conducted, is condensed from an English journal, the *Manchester Times*, 21st September:

"After the remand was granted, the prisoners, who gave their names as John Wright and Martin Williams, were removed to the cells below. The court was densely crowded, and it was observed that the

greater number of those present took an intense interest in the proceedings. A number of strangers crowded the corridors and the open rooms below the court. After the court adjourned, those persons remained, and by the time the van arrived, three o'clock, the narrow street in the rear of the court house was filled by an excited throng. A considerable force of police was told off to keep the van clear. Meanwhile, the attention of a Superintendent had been called to two men of soldierly appearance, who had been seen lounging about all the morning. An inspector and constable went forthwith to arrest them. One of them made off and escaped. The other, a tall, powerful man, made a desperate resistance. He drew from his breast a long-handled, loose-springed knife, which, on the blade being thrown forward, became a formidable dagger, the spring tightening with a click. The inspector seized his prisoner by the wrist, and while he was in the act of wrenching the weapon out of his right hand, the fellow aimed a fearful blow with his left, which caught the constable full in the eye. Some more constables came upon the scene and completed the capture. The man was searched and handcuffed. A few minutes afterwards the prisoners, including Kelly and Dacey, were marched between a double row of constables to the steps of the van. A murmur rose from the crowd as the prisoners, who were in handcuffs, were placed inside the vehicle.

"The prison van then proceeded through the city in the direction of the gaol. The van was divided into separate compartments, each intended for a prisoner.

The two Fenians, together with several women and young boys were the occupants of the vehicle, which was accompanied by eleven policemen—seven besides the driver upon it, and four following in a cab behind; four were on the box; two behind, and Sergeant Brett was inside the van in the middle compartment. The van proceeded quietly until they arrived at the railway arch, on the Hyde road, near the clay pits. The officers in front noticed a crowd of men, the majority of whom were armed with revolvers. This crowd was composed of men dressed, some in cloth and some in fustian; but there were not many in the garb of workingmen; the majority seemed better dressed. They appeared to be acting in concert, and a Fenian, named Wm. O'Meara Allen, acted as leader. The moment the van approached the arch Allen shouted to the driver to stop. This was followed by a volley of pistol shots. A policeman incited the driver to drive on. Simultaneously, however, the Fenians in front fired at the near horse, and shot it through the neck, and the driver was knocked off his box. A moment afterwards the other horse was also shot. Several of the officers narrowly escaped being shot, and only saved themselves by ducking their heads. The progress of the van was effectually prevented. About twenty of the assailants formed a cordon round the van, and kept the police at bay. Several bystanders joined with the police, and made a rush; but they could do nothing against a score of desperate men with loaded pistols. In the meantime, the remainder of the gang had attacked the van. They were armed

with hatchets, hammers, and stones, with which they tried to force an entrance. The van, which was a very strong one, resisted their efforts, till at last a party of the men managed to haul a very large stone upon the roof, and soon pounded the top of the van into chips. The door was by this time nearly forced open, when the leader, who had a pistol in each hand, put one to the lock, fired it, and burst the door open. The gradually increasing crowd of spectators had, in the meantime, made several charges, but were easily defeated by the occasional firing of pistol shots. The police are of opinion that some of the pistols were not loaded with ball, for several times, when they were fired point blank, no effect followed. One of the bystanders was shot through the ankle, and one of the policemen from the cab, who came up to assist the others, received a shot in the back. The leader, Allen, was seen to fire five shots at the van before it was burst open. When the door was forced, the leader called to the prisoners to come out. They were, of course, locked up in their separate compartments. The leader then asked Brett for the keys, but he refused to give them, upon which Allen fired. Brett was shot in the head, the ball entering the eye, and coming out near the top of the hat. Brett staggered out of the van as soon as Allen had possessed himself of the keys. Allen then released the two Fenians, and the whole party decamped across in the direction of the Ashton Road.

"Allen was seen going along in the company of Kelly, and he was heard by the bystanders to say,

Kelly, I will die for you.' Some young men in the crowd gave chase. Allen, with one or two others, continued their flight over the fields. At Ashton Road, a police-constable joined the chase, and captured one of the party, named Michael Larkin, of Eliza Street, City Road, Hulme. Another young man, named Hunter, of Pendlebury, ran down Allen, and laid hold of him. He resisted violently, and threatened to shoot his pursuer with his revolver. Hunter, however, who was a powerful young fellow, closed with him, wrested the pistol from him, and struck him with it several blows on the head, causing a very ugly wound. Other assistance then came up. Allen was identified by twenty or thirty witnesses as the leader of the gang, and the man who entered the van and shot Brett.

"From the statement of eye-witnesses, we are enabled to add further details. A very acute looker-on, who lives near the railway arch, had noticed a number of strange, suspicious-looking men loitering in the neighborhood all the morning. Some of them visited the neighboring inn, 'The Railway Hotel,' from time to time, and then went across the road into the unclosed field along the line of railway. They were stiffly-built men, and some of them looked as if they had been soldiers. One of them was rather taller than the rest. He was a fair complexioned man, with a black coat and cap. He appeared to be the leader. Our informant felt sure that 'something was going to happen.' About four o'clock he was so occupied with watching the men, that he did not see the prison

van when it was coming up the road. He saw the tall man standing with ten or twelve others on a bank of clay on the opposite side of the road. He put up his hand, and several other men who had been loitering about joined those on the bank, making the number from fifteen to twenty. The tall man, who acted as Captain, then drew a revolver, which looked like a new one, and it shone in the light. The other men at once did the same. All the pistols were quite bright. At this moment the rumble of the van was heard, and the leader stepped into the middle of the road, raised his revolver, and fired. As above-stated, while some of the assistants kept back the constables and the crowd, others surrounded the van and began to break a way into it. A woman was among the first to get out. Afterwards a tall man with a dark moustache (Dacey) came out, and then followed a short, thick-set man (Kelly). Both of the men looked as if they were still handcuffed. Nearly all the assailants crowded round, and whilst some of them hurried across the unenclosed fields, others remained behind and fired more shots. The firing seemed quite at random, as if there was now no wish to wound, but only to keep the police at bay.

"The excitement which followed the report of this battle was indescribable. In reply to the Mayor's telegram, the Home Office offered a reward of £300 for the recapture of Kelly and Dacey. The Manchester Corporation also offered a reward of £200 for the capture of those who took part in the rescue. Annexed is the official description of the two principal

fugitives:—'Colonel Kelly, 35 years of age, 5ft. 6in. high, hazel eyes, brown hair, brown, bushy whiskers, small scar inside right arm, scar over right temple, one tooth out of upper jaw on right side; a native of Ireland; weighs about 160 lbs. Captain Dacey, 29 years of age, 5ft. 10in. high, swarthy complexion, hazel eyes, dark brown hair, brown moustache, whiskers shaved off, proportionate make, scar on left cheek, near to the ear.'

"The country was scoured in all directions during the night, and before eleven o'clock twelve to fifteen arrests had been reported from different places in the neighborhood. The last that was seen of Kelly and Dacey was near Clayton Bridge. They were seen by some brickmakers to go into a cottage, they then being in handcuffs. When they came out their hands were free. When the constables overtook Allen he was already in custody, and had been severely stoned about the head and body."

"It is ascertained," says the *Times*, "that the prison van was preceded, on its way from the court in the afternoon toward the gaol, by a cab containing several of the assailants, who joined those who had previously been seen loitering about the railway arch, and who appeared to take the command." A writer to the *Irishman* gives it as the "one opinion" of the terrified town, "that the most daring, well-planned, and resolute plot that ever startled England has been accomplished by the thirty men who gathered that day under the railway bridge at Hyde Road."

CAPTAIN TIMOTHY DACEY, the companion of Colonel Kelly in the Manchester rescue, was born in the town of Clonakilty, County Cork. He came to this country at an early age, and settled in the city of Lawrence, Mass. On the breaking out of the war, he enlisted in the Massachusetts "Ninth, fought gallantly through the campaigns, was promoted to the grade of a lieutenant, and was seriously wounded at the battle of the Wilderness, but refused to leave his command until the fight was over. Among all the noble spirits that embarked in the cause of Irish nationality during the last few years, there were none nobler than the unpretending Dacey. He went to Ireland September 2d, 1865, from the Lawrence Circle, of which he was a member, reported at Skibbereen, was arrested on suspicion a few days after the seizure of the *Irish People*, and was kept in jail for two weeks. On his release he remained in Clonakilty for a couple of months, when he was ordered to Dublin. He remained there until April, 1866, and had a very narrow escape from arrest on the morning of the suspension of the *Habeas Corpus* Act; getting out the back way, as the authorities entered the front. Captain Dacey was next ordered to England, and located in Liverpool. Here he had another narrow escape—having actually had an interview with Major Greig, who came to search the house. After the famous rescue by the Manchester men, Captain Dacey was sent to America, where he arrived on the night of Sunday, October 27th. He was heartily welcomed by the Brotherhood, and was the recipient of a splendid pub-

lic reception and serenade on the night of October 31st, at the Metropolitan Hotel, New York.

On the same night the escape of another prisoner from jail helped to concentrate public opinion on the daring and determination of the Fenians. Captain Laurence O'Brien is a native of Nenagh. The statement that he was in the police force is erroneous. He emigrated with his family to America about the year 1859. He subsequently entered the Union army, in which he won distinction, and was promoted to a Captaincy. He became a Fenian, and threw into the Brotherhood his marked intelligence and great activity. He went to Ireland early in 1867, accompanied Colonel Thomas F. Bourke through Fethard, Clonmel and Cashel, and was arrested, on the 28th February, in the vicinity of the latter place. He was discharged for want of sufficient proof, but re-arrested soon after under the *Habeas Corpus* Suspension Act. He remained in jail, on a Lord Lieutenant's warrant, to the 12th August, when, on an investigation, he was committed for trial at the next Assizes. A short time previous the informer Corydon was confronted with the prisoner—who had gone by the name of Osborne—and identified him as Captain Laurence O'Brien, and gave further evidence of his connection with Fenianism.

O'Brien was confined in a cell from which it was believed escape would be impossible. The walls of this cell are some five or six feet thick. Light is admitted by one solitary window, a large opening, protected with double bars of iron, set transversely, and

embedded with lead into heavy blocks of stone. The outer door is of wood, sheeted and cased with iron; the inner, a heavy iron gate, both well fastened outside with double locks and strong bolts and bars. Into this cell the prisoner was locked at six o'clock on Wednesday evening, 19th September; and at about eleven the same night the governor of the jail, in taking his accustomed round, visited the different cells with a turnkey, among others O'Brien's, and saw that the prisoners were in bed, and that all was right, and brought the keys with him to his own room. At six o'clock the next morning, it was discovered that O'Brien's cell was untenanted. The prisoner had succeeded in effecting his escape in the prison dress. A search was at once made through the prison, and information was conveyed to the Royal Irish Constabulary. Mounted men were dispatched in different directions into the country districts, while other parties were engaged in visiting suspected places through town—all to no effect. Upon examining the cell, it was found that the lower half of the heavy iron grating of the window had been cut through in part with a file or some sharp instrument, the remainder being forced by some means from its leaden socket, while one of the sideblocks of limestone had been broken in two, and the loosened part removed. The iron grating and broken masonry were found in the cell, with the prisoner's hat, which was filled with pieces of cement and limestone; also, a stout bar of iron, skilfully sharpened at one end, and tied round with cloth to protect the hand, and to lessen the sound

while working. This bar was cut off from the iron support of the metal stove-pipe, which the prisoner had found means to procure or remove from its place at the end of the corridor while passing to his cell. There were found, in addition, some two or three pieces of rod iron, finely pointed; a rude iron hammer, a knife, and a small coil of rope unopened. From one of the remaining window bars a thin rope, doubled, hung loosely, reaching some eight feet down, outside, the window itself being fully thirty feet from the walk below leading to the main entrance. By this means the prisoner is supposed to have lowered himself to a level with the iron gallery, or passage from the press-room to "the drop," and, having been drawn across, if he had an accomplice, or, which is just possible, having swung himself over to the passage gallery—in which one of the sheets of the prisoner's bed was found, with the ends double-stitched together—he scaled the railing, crossed the roof of the gate-house barefooted, and got upon the parapet of the outside wall of the prison, from which it is believed he descended into the street, some eighteen or twenty feet, by means of another rope, which was also found hanging from one of the embrasures. His boots were on the walk under his cell window, tied together, as if they had been hung across his arm, but had slipped off. It was a fine moonlight night, and the place where the escape was effected is not fifty yards from the Richmond police barracks. Two of the constabulary had been on duty outside the door on their station up to one o'clock that night.

The wildest conjectures grew out of Captain O'Brien's escape; and, taken in connection with the bold deed of the gallant men of Manchester, was well calculated to keep awake the fears and anxieties of the Government.

"ERIN'S HOPE."

Considerable attention has been directed to the so-called "Fenian Privateer" and her cruise. The well-informed New York correspondent of the *Irishman* says all that may be said on the subject at present. After stating that, when the news of the March rising was flashed over the cable, a certain sum of money was placed in the hands of Colonel James Kelly, Director of Military Affairs, F. B., he continues: "Kelly at once purchased a neat little fast-sailing brig (he had not money enough for a steamer), aboard which he placed 15,000 stand of arms, with ammunition and accoutrements to match, in charge of thirty-five picked officers, and started her off to Ireland—a pioneer and forlorn hope ('Erin's Hope' they called her)—in command of the indomitable Captain ———, U. S. Navy. These daring men had not much hope even then of reaching their destination in time to furnish the insurrectionists with the weapons they took with them; but they insisted on risking their lives in order to solve a question which was of vital importance for those who work for Ireland's redemption by force of arms, and the doubts upon which formed a serious obstacle in the way of Fenian propagandists here. The chief argument used by many opponents

of Fenianism was, that it was impossible to clear Fenian vessels from any port in this country, either unknown to British agents or with the consent of the United States authorities. This, with the correlative argument that it was impossible for any such vessel, even though she had left these shores unspoken of an enemy, to pass the cordon of war ships with which England is supposed to surround Ireland—especially when Ireland is in danger of such invasion; those men, I say, were determined to deprive opponents to Fenianism of that argument at all hazards, and I maintain that they have done it effectually. They did clear a vessel from a United States port; they did 'pass the cordon;' they did touch the Irish coast, and, in their devotion to the principle on which they had embarked, some of them did actually land on Irish soil in such a manner as to prove that not thirty, but *thirty thousand*, could have effected a similar landing before one-tenth of that number could be mustered to oppose them—even when your Government was as thoroughly (?) 'prepared' for such an emergency as they claimed to be last spring. The passengers of the 'Erin's Hope' not only visited Ireland, and *slept* in Ireland, but re-embarked, 'passed the cordon' *for the fifth time*, returned across the ocean, sailed quietly and safely into this port, unshipped their cargo and stored it away into the Fenian armory in this city, disposed of their vessel profitably for the Fenian cause; and, next day, set to work at their old avocations, as if they had only been absent on a pleasure trip to the Paris Exposition! So much for the in-

possibility of sending a Fenian expedition from an American port to Ireland! By the way, I should have mentioned that when the news reached here that the 'rising' had been positively suppressed, two other vessels were being laden, within a hundred yards of where I now write, with a similar cargo and bound on a similar excursion, but the work was, of course, discontinued."

JOHN WARREN AND WILLIAM NAGLE.

were arrested on the 1st June, 1867, on the bridge crossing the Blackwater from Waterford into Youghal. They were kept in Youghal until the morning of the 4th, when they were sent to the Cork County Jail, being marched through the streets handcuffed like felons. The gallant soldiers, who had distinguished themselves in the late war, were greatly incensed and insulted by such treatment, and communicated with their relatives and friends in this country, invoking the aid of their Government. As Colonel Nagle, writing from jail, says: "This is not exclusively an individual case, but becomes a question of right, involving the liberty of every American citizen that sets foot on this soil. I ask the Government of my country, which I have faithfully served, whose laws I have never violated, to secure to me that liberty which is my birthright, and of which I am now deprived without any cause or plea of justification, by an authority I do not recognize—a government to which I owe no allegiance, and whose laws I have in no way infringed upon."

Colonel Warren wrote a statement of his case to the Hon. Fernando Wood, who presented the matter in a very strong light to President Johnson. The President placed Mr. Wood's letter before the Cabinet on Monday, the 20th August, and Mr. Seward was directed to confer at once with Sir Frederick Bruce, the British Minister, on the subject, and to reply to Mr. Wood. In his reply, Mr. Seward said:

"The subject has already received the attention of this Department, which understands that those persons are citizens of the United States, and that there are no sufficient grounds to charge them with the commission of any offence against the laws of Great Britain; and has good reason to believe that they have already been, or will without further delay be, discharged."

On the 23d of August Sir Frederick Bruce telegraphed to his Government recommending the immediate discharge of Colonels Nagle and Warren from imprisonment, and sent to Mr. Seward a copy of the dispatch.

On the 23d September, they were removed to Mountjoy prison, Dublin, and on the same day received a letter from Mr. Adams, United States Envoy at London, in which he says:

"I have been endeavoring to do my best in your behalf, to secure you a trial, if not an absolute release. I doubt not it could have been accomplished before this but for the unfortunate revival of the excitement produced in the public mind by the late event at Manchester. I very much regret the suffer-

ing to which you are subjected, and shall continue to do all in my power for your relief."

Colonel Nagle takes the position which every spirited American citizen, native or adopted, must indorse, when he says:

"I have not desired Mr. Adams nor Mr. West to petition for my liberty. I scorn to receive as a favor what I demand as a right. Aside from the individual, physical and moral injury done me, there is another great question involved, before which all personal matters sink into insignificance. The reputation and character of my country is involved in it. Will the United States maintain its own honor among the nations of the earth by defending the liberties of her citizens abroad? Or are they to be subject to the oppression and caprice of every government in Europe in which they may chance to roam; deprived of all that man holds dear in life, and no redress? If so, let the fact be proclaimed, that all may act accordingly."

Notwithstanding the apparent interest shown by our government, and the seeming good faith of the British Minister in telegraphing to *his* Government, nothing has been done in behalf of the outraged prisoners. The latest intelligence concerning them was conveyed by a cable dispatch of 21st October, stating that they would be *brought to trial* before a Special Commission, to commence on the 25th, coupled with the humiliating addition, "it is said that the United States Government will provide for the defence of Nagle and Warren."

It is full time the people should know what is the meaning of the phrase *American Citizen*, or if it has any meaning at all, and having a meaning, does it em-

brace a distinction between, and a difference of protection to, a native and an adopted "citizen." If the Government had its mind made up as to what constitutes a citizen and his rights, its Minister and Consuls in Great Britain would no doubt have shown some prompt dignity and decision, when the national sentiment and character were outraged by the wanton arrest and contemptuous treatment of American citizens so-called, both native and adopted.

THE END.

INDEX TO HISTORICAL INTRODUCTION.

A

Act of Settlement, 14—Repeal of, 15

"Agrarian Outrages"..... 43

American Agents in Ireland,—

their number,71, 72

American Revolution emboldens

Irish Catholics and Presbyterians..... 23

American Sympathy for Ireland.. 80

Amiens, Treaty of..... 32

Arrests in 1865..... 63, 66, 69

Attorney-General, Irish, boast of. 63

"Authorities," ruffianism of the,

in '98..... 27

Authorities, panic among..... 65, 66

B

Banks, a run on, in Cork..... 65

Banks, Hon. N. P., introduces

Resolutions of Sympathy with

Ireland to House of Representatives..... 92, 95, 96

Boswell, reference to..... 30

Buonaparte, 31—Views on Ireland, 32—Abuse of, in England.....31, 32

Bourke, Thomas Francis..... 88

Brenan, Joseph..... 52

Bright, John, M. P., on the Habeas Corpus Suspension, 73—

Places its responsibility on

evil legislation for Ireland, 73—

Discusses the failure of English legislation for Ireland, 74—

Denounces the Ministers, 74—

Declares that the Irish should

not be content, 75—Roebuck,

on, 76—Speech at Birmingham, 93—Contradicts the Queen's

Speech, 104—On the English Church in Ireland, 104—On Irish Tranquillity.....104, 105

Burke, Edmund, on the Penal Code..... 16

Byron, Lord, on the results of "The Union"..... 30

C

Camden, Lord, proclaims Ireland under martial law..... 27

Campo Bello, futile attempt on... 61

Canadian Party of the F. B., 67—

Heads off Stephens, 81—Distracts the Fenian element, 81—

Futile offers of union with ... 91

Catholic Cavaliers, base treatment of, by the Stuarts..... 14

— Churches burned by the authorities, 29—Emancipation not all that was needed, 36—

Davis on, 37—Peasantry butchered, 31—Rights, United Irishmen the advocates of... 36

Catholics, English and Irish, 12—

—Their animosities, 13—Excluded from Parliament, 14—

Humiliating position of, 23—

Penal laws against, 16—Why they joined James II.....14, 15

Charles II..... 12

Chester, Fenian demonstration on..... 53

Clinch, Rev. Father, fights the English at Vinegar Hill..... 25

Coercion Bill..... 41

Conflicts between the Nationalists and the authorities, in 1848, at Slate Quarries, Mullinahone,

- Killennanle, Ballingarry, Abbeyfeale, 48—At Portlaw Barracks, Glenbowser, Scough, 46—At Waterford and Cashel.....49, 50
- Congress, 1st National, of Fenian Brotherhood, at Chicago, 67—Declares allegiance to the Constitution and laws of the United States, 67—Respect for Plus IX., 69—Held, in Cincinnati, 60—Report of Mr. P. Coyne to, 61—Held, in Philadelphia, 68—Report of Mr. P. J. Meehan to, 66—New Constitution, 66—Its results, 68, 67—IVth, held in New York, the largest representation of Fenians that had taken place, 68—Old Constitution restored and the Presidency abolished, 68—Indorsed by Military Convention, 68—Vth, held in New York, 69—Its action; Mr. A. A. Griffin elected Executive, 68—Vth, held in New York, 105—Twenty States and Territories represented, 106—John Savage elected Chief Executive.....106
- Congress of the United States, Irish cause in, 92—Vote on.....97
- Conolly, Mr. M. P.....77
- Corcoran, General Michael.....55, 60
- Corydon, an informer.....82, 88
- Council, Central, of F. B. enlarged to ten.....61
- Coyne, Mr. Philip, report on Irish affairs to 2d Congress.....61
- Cromwell, 12—His confiscations 13
- Crowley, Peter O'Neill.....88
- D**
- Dav's, Thomas, the Centre of Young Ireland, 39—On the Penal Laws, 18—Tributes to him, 40—Advantage over Tone.....41
- Demands made on the American Irish.....54
- Deniffe, Mr. Joseph, Envoy of the

- F. B.....62, 63
- Derby, Earl of, on the Irish leaders in the House of Lords, 46—On Fenianism.....73
- Devotion of Irishmen to Irish Liberty.....53, 54
- Dickson, Rev. W. Steele, Adjutant-General of Ulster.....25
- Difficulties of Irish Nationalists in America.....54
- Dillon, J. B., escape of, 48—Views in Parliament on the state of Ireland.....76
- Dissenters, their position and views.....53
- Doheny, Michael, opinion of Davis, 40—Escaped, 48—Taken out of jail, but gives himself up.....49, 53, 63
- Duffy, C. Gavan, opposes Mitchell's policy.....45
- Dwyer, Michael.....34

E

- '82 and '98, 11—The Revolution of, 21—Effects of, 21—Tone on, 21—Concentrated power in the aristocracy.....22
- Eldridge, Hon. Mr., favors Fenianism in Congress.....96
- Emancipation compared with Repeal.....37
- Emmet, Robert, 31—Interviews with Buonaparte and Talleyrand, 31—His funds to make war, 35—His principles and energy, 35—His fate, 35—Thos. Addis.....31
- England, her danger in '98, 28—What she lost in '98.....29
- English Church in Ireland, 104—Falsehoods on Irish tranquility, 78—Dean Swift on, 79—Government bewildered by the Fenian mystery, 61—Government, its hate of the United States checked by the F. B., 61—Interest in Ireland, 12, 13—The Suspension

- of the *Habeas Corpus* the only safety of.....72
- English legislation, celerity of, to sustain English interest, 73—For Ireland, Bright on, 73—A poisonous medicine, 75—Parliament, Ireland in.....98
- Extermination system of the English Government.....43, 44

F

- Famine a great ally of the English, 42—Years, infamous conduct of the Government during, 43
- Fenian Brotherhood, its origin, 55—O'Mahony elected Chief of, 55—Struggle for existence, 55—Expansion of, 55—Its sustenance of the Union, 56—Necessity for reorganization, 56—First National Congress held at Chicago, 57—Its objects and declarations, 57, 58—Not a Secret Society, 57, 58—Respect for the Pope and sympathy with Poland, 59—The government of the Organization, 59—O'Mahony resigns and is re-elected, 60—Effect of the First Congress, 60—Growth of Circles, 60—Effect of, on the English Government during the war, 61—Changes in the Constitution of, 61—Effect of the Organization in England, 62—Early difficulty of raising funds, 63—Its mystery a terror to the authorities, 64—Spreads to Liverpool, Manchester, Glasgow, 65—Constitution changed, and a President and Cabinet created, 66—O'Mahony elected President, 67—Dissemination of, 67—Restoration of the old Constitution, 68—Military Convention meet, 63—O'Mahony reinstated as Head Centre, 68—Continued excitement in Ireland, 68—Stephens' capture and remarkable escape

- from jail, 68—Lord Lieutenant's description of, 70, 71—Pitiful alarm of the Government, 70, 72, 73—John Bright on, 70, 72, 73—Meetings held in America on the Suspension of the *Habeas Corpus* Act, 80—Arrival of Stephens in America, 1866, 81—O'Mahony retires, 81—Disturbed by the Canadian Party, 81—Stephens' promises and failure, 82—His Military Staff determine on a rising—Col. T. J. Kelly directs affairs, 82—Chester, betrayed by Corydon—Kerry, 82—Government statement on the latter, 83—The rising in March, '67, 84—Proclamation, 84—Betrayal by Massey, 83—Suppression of the March effort, 88—Noble conduct of the Irish Party in America to keep alive the Organization, 89—Fifth Congress, 89—Public meeting in Union Square, 89—Letter from Mayor Hoffman, 90—Efforts to effect union with the Canadian Party, 91—The Irish cause in the United States Congress, 92—Reorganization on foot, 105—John Savage elected Chief Executive at the 8th Congress, 106—Address on accepting office.....106
- Fends between the old Irish and Irish of English descent.....13
- '48, the New York Directory of.....63
- Freischlagers, forty shilling.....37

G

- Grattan, his career, 28—Buried in Westminster.....39
- Gray, Nicholas.....39
- Gray, Philip.....5
- Gray, Sir John, does not want Fenian speeches in Parliament, 77—The O'Donoghue replies to, 77
- Grey, Sir George, gives the history of Fenianism.....69

H

- Habeas Corpus* Suspended, 1848,
48—Suspension in 1865, 69—De-
bate on, in Parliament, 69—
Vote on, 73—Power for evil... 80
- Halpin, T. M. 44
- Harvest, waiting for the... 47
- Hoche, French ship-of-war, cap-
tured... 25
- Hoffman, Hon. J. T., Mayor of
New York—Letter to the great
Fenian meeting... 90
- Hop, James... 34
- Horsford, an English Colonel,
baffled by Colonel O'Connor in
Kerry... 63
- Horsman, Mr., M. P., on Bright... 76

I

- Indiana, the Banner State of Fe-
nianism... 56
- Insurrectionary movements, in
1865, at Chester, 82—Kerry, 82
—Drogheda, 86—Castlemartyr,
86—Ballinacolly, 87—Others
passim...
- I. R. B. 56, 61, 63
- Ireland, her qualifications for self-
sustainment, 20—Her insigni-
ficance in the Empire, 21—King,
Lords and Commons of, 21—
Continued excitement in, 68—
"Perfectly tranquil," 83—Forty
thousand troops necessary to
keep it quiet, 104—Rifted of its
grain during the famine... 43
- Irish-Americans seized and
searched... 65
- Irish Brigade, Officers of, go to
Ireland... 64
- Irish cause, efforts to sustain... 53
- Irish Confederation founded, 40
—The members as revolution-
ists, 41—Forced into action, 42
—Not a Secret Society, 42—Its
Design, 42—Not equal to the
crisis, 44—Enrolled men in, 44—
Difference of opinion in, 45—

- Two days' debate, 45—Excited
by the French Revolution, 46—
Addresses the French Repub-
lic, 46 Prevents an outbreak,
47—Leaders take to the hills, 47
—Not sufficiently organized to
fight... 49
- Exiles, in France, 53—Spread the
Irish cause in America, 53—
Mistaken idea of their resources
Irish Felon, started, 47—Seized... 47
- Irish Government, sitting on a
mine... 65
- Irish Legion, Officers of, go to
Ireland... 64
- Irishmen with American ideas,
dread of... 72
- Irish Parliament, a shadow of the
English... 21
- Irish People* seized... 63, 69
- IRISH PRINCIPLES AND ENGLISH
INTEREST, 11—Continued... 51
- Irish Republic, ordered by 1st
Congress, 59—Cheered in Eng-
land... 80
- Irish Tribune* started, 47—Seized 47

J

- Jackson, Rev. W., his betrayal
and death... 23
- James II., 12—Distrust of his
Irish adherents, 15—His vacilla-
tion... 15
- Johnson, Dr., on Dr. Lucas'
exile, 19—On a Legislative
"Union"... 30
- Johnston, General... 26
- Journals, national, suppressed... 47

K

- Kearns, Father Moses, fights the
English at Newtownbarry—
Wounded at Ennisconry, 26—
Hanged... 27
- Kelly, Colonel Thomas J., suc-
ceeds Stephens in directing af-
fairs... 68
- Kerry, rising at... 62

L

- Lalor, Fenton... 52
- Land questions, wars growing out
of them... 13
- Lawless, William... 34
- L'Estrange, Colonel, driven into
Newtownbarry... 26
- Long, Philip, a patriotic trades-
man of Dublin... 35
- "Loyalty of the Police"... 98
- Luby, T. Clarke, arrested... 65
- Lucas, Dr. Charles, Dr. Johnson
on... 18

M

- Madden, Dr. R. R., reference to, 23, 29
- Manufactories of Fenian arms... 73
- Martial law an incentive to riot... 27
- Massey, Godfrey, an informer... 58
- McCabe, Putnam... 34
- Mcagher, Gen. Thomas Francis,
tribute to Davis, 40—Opposes
Mitchel's policy, 45—His voice
for war, 46—Prevents his own
rescue, 49—Captured and ban-
ished, 43—Appeals to the New
York Directory for funds for the
Fenians, 63—Message of frater-
nity to the Fenian Congress... 60
- Meehan, Mr. P. J., Envoy to Ire-
land, report of, to the 3d Con-
gress... 66
- Military Convention indorses 4th
National Congress, 63—Issue
an address... 68
- Mill, J. Stuart, on the Suspension
of the *Habeas Corpus*... 76
- Mitchel, John, tribute to Davis,
40—His writings force public
opinion, 42—Advocates resis-
tance to the Famine policy, 45—
Starts the *United Irishman* 45
—Arrested, 47—Banished, 47
—His trial the time for action... 50
- Molyneux, *Case of Ireland*... 18, 19
- Mousell, Mr., M. P. his vigorous
Speech in Parliament on the
state of Ireland, 59—Declares
the Irish people all disloyal... 103

- Morning Post*, London, remarka-
ble letter in... 57
- Murphy, Colonel Mathew... 60
- Murphy, Father John, his chapel
burned, 26—Fights the English
at Oulart Hill, 26—At the battles
of Ennisconry, Vinegar Hill,
&c., 26—Hanged... 27
- Murphy, Father Michael, a brave
leader against the English, 29—
Killed at the battle of Arklow... 27

N

- Nation*, the newspaper, 40, 45—
Seized... 47
- NATIONALITY, Irish struggle for... 11
- '98, civil war in, 27—Duration and
Cost of, 29—Prominence in Irish
History, 11—Memories left by... 28
- '98 and '48, reference to... 28
- Nobility in Emmet's rebellion... 23

O

- Oath-bound, the F. B., not... 53
- O'Brien, Smith, opinion of Davis,
40—Opposes Mitchel's policy,
45—Captured and banished... 43
- O'Connell, his agitation, 36—Ca-
reer, compared with Grattan's,
33—Dies in Genoa, 39—His
promises... 62
- O'Connor, Arthur... 63
- O'Connor, Col John J., heads a
rising in Kerry... 62, 63
- O'Donoghue, The, defends the
character of Fenianism in Par-
liament, 77—On the *Habeas*
Corpus Suspension... 78
- O'Donovan (Rossa), J., arrested... 79
- O'Flaherty, Rev. Edward, the loss
of... 50
- O'Leary, John, arrested... 65
- O'Gorman, Richard, escape of... 43
- O'Mahony, John, effort to rally
the people, 48—Chief of the
early Fenian Organization, 53—
Reasons for calling 1st Con-
gress, 56—Resigns Head Centre
ship and is re-elected, 60—Elected
again by 2d Congress, 62, 63

—Goes to Ireland, 62—Labors in America, 64—Retires from leadership..... 61
 Orangemen of Ulster..... 78
 Otto, M., French Envoy in England, 32—Protests against English abuse of Buonaparte..... 32
 Oulart Hill, English defeated at..... 26

P

Patriot Priests and Ministers, 25
 Noble devotion of..... 26
 Patriots, Protestant..... 18
 Peard, Col. Robert, of Milford..... 56
 Penal Laws, 16—Davis on, 18—Effects on the peasantry, 23—Violated the Treaty of Limerick..... 37
 "Phoenix" Society..... 63
 Pile, Hon. Mr., in the Irish debate in United States Congress..... 95
 Pins IX., resolution of respect for..... 59
 Poland, Fenian sympathy with..... 59
 Porter, Rev. Wm., hanged..... 25
 Powder depot blown up in 1803..... 35
 Prendergast, Rev. Father, hanged..... 27
 Presbyterians..... 23
 Priests, hunted..... 17
 Proclamation of the Irish Provisional Government in '67..... 84
 Protestant "gentry" bought..... 31
 —Party, position and patronage..... 22
 —Patriots..... 18
 Protestants, English, fears of..... 13

Q

Queen's Speech..... 98
 Quigley, Rev. Father, hanged..... 27

R

Redmond, Father Nicholas, fights the English at Newtownabbey, 26—hanged..... 27
 Reilly, T. Devin, 45—Escapes..... 48
 Repeal of the Union, 36—Emancipation, compared with..... 37
 Reynolds, Thomas, the Arnold of Ireland..... 28
 Ridgway, Canadian Party engage the troops at..... 61

Riot in Yorkshire, England, Irish Republic cheered at..... 69
 Riots, among the soldiers, 96—At Ballincollig..... 67
 Rising of March, '67, betrayed by Massey—Suppression..... 68
 Roberts, Mr. W. R., and the "Senate Party," 67—Move on Canada..... 61
 Robinson, Hon. Wm. E., speech on Ireland in Congress..... 93
 Roche, Father Philip, fights the English at Tubberneering, 26—Generalissimo, 26—hanged..... 27
 Roebuck, Mr. M. P., on the Irish "Rossa," (see J. O'Donovan)..... 76
 Royalists, what they received after the war of '98..... 29
 Russell, Thomas, in Paris, 32—General-in-Chief of Ulster..... 54

S

Sarsfield, rebukes James II..... 15
 Savage, John, "'98 and '48," 23—Efforts to rally the people, 48—Elected Chief Executive of the Fenian Brotherhood by the 6th Congress, 106—Speech on accepting office..... 106
 Scotch soldiers cheered for beating English ones..... 88
 Secession in the Fenian Brotherhood..... 67
 Secret Society, the F. B. not a..... 58
 Seizures on board vessels..... 84
 "Senate Party" differ with "the President," 67—Disgraceful results of the difference, 67—Its policy..... 67
 Soldiers, disaffection amongst, 65—Arrested, 65—Seduction of, 73—Riots about Fenianism, 66—Efforts of the Government to suppress the fact..... 88
 Stephens, James, undertakes the organization of Ireland, 62—Receives a commission from New York, 63—Declared Chief Execu-

tive of the Irish Republic by 1st Congress, 69—Comes to America in 1858, 63—Spends a couple of years in France, 63—Returns to Ireland, 64—Labors and success, 64—Reward offered for, 65—Arrest and escape, 68—Arrives in New York, 1866, 61—Headed off by the Canadian Party, 61—Makes promises, 61—His mission a failure..... 82
 Stovelly, Rev. Mr., hanged..... 25
 Struggling nations, the right of Americans to aid them..... 57
 Sturats, the, Irish policy of, 12—Restoration of, 14—An ungrateful race..... 14
 Swift's *Draper Letters*, 18, 19—On falsification of Irish affairs..... 79

T

Talleyrand, 31—Views on Ireland..... 28
 THE INSURRECTION IN IRELAND, 1-45..... 60
 The people not prepared in '48..... 49
 The rising of 5th March, 1867, 64—Public agitation created by..... 86
 THE STRUGGLE FOR IRISH NATIONALITY..... 11
 Tone, Theobald Wolfe, gives a character to Irish politics, 19—His views, 20—On the revolution of '82, 21—Aspires to elevate the Catholics, 23—Key to his principles, 24—Boldness of his plan, 25—Founds the United Irish Society, 25—Captured, 25—His expedition to Ireland, 29—As a political writer..... 41
 Treason-Felony Act, passage of..... 46

U

"Union" with England, 29—character of, 29—Dr. Johnson on, 30—Lord Byron on, 30—How car-

ried, 31—Repeal of, 36—Its ruin to Ireland, 37—Bright on..... 73
 Union Square, public Fenian demonstration at..... 80
 Union, the, defended by the Fenians..... 56
 United Irishman, the journal..... 45, 47
 United Irishmen forced to a premature rising, 27—Great chances of their success..... 28
 United Irish Society persecuted into secrecy..... 49

V

Vessels searched by the authorities..... 88
 Vote on the Irish resolution in United States Congress..... 97

W

Walpole, Colonel, killed at Tubberneering..... 26
 Warwick, Rev. Mr., hanged..... 25
 Washburn, Hon. Mr., of Wisconsin..... 96
 William of Orange..... 13
 Wodehouse, Lord Lieutenant of Ireland, describes the terror of the authorities and the extent of the conspiracy, 70—Calls for the Suspension of the Habeas Corpus, 71—Declares it the only safety of the English..... 73
 Wood's, Hon. Fernando, speech in favor of the Fenian Brotherhood..... 96

Y

Young Ireland, 39, 40—Compared with the men of '98, 41—Earl of Derby on, 46—Disbanded, but not defeated, 51—What it achieved, 52—Its services after disruption..... 53

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